



CITY OF BARABOO COMMON COUNCIL AGENDA

Council Chambers, 101 South Blvd., Baraboo, Wisconsin

Tuesday, March 12, 2019, 7:00 P.M.

Regular meeting of the Common Council, Mayor Palm presiding.

Notices sent to Council members: Wedekind, Kolb, Plautz, Sloan, Petty, Ellington, Alt, Kierzek, and Thurow

Notices sent to City Staff and Media: Atty. Truman, Adm. Geick, Clerk Zeman, Finance Director Haggard, City Engineer Pinion, Utility Super. Peterson, Street Super. Gilman, Police Chief Schauf, Parks & Recreation Dir. Hardy, City Treasurer Laux, Fire Chief Kevin Stieve, Library Director Jessica Bergin, CDA Director, the News Republic, WBDL, and 99.7FM, *Ron Messer*

Notices sent to other interested parties: Citizen Agenda Group, Media Agenda Group, *Rep. Considine, Bobbie Boettcher*

1. **CALL TO ORDER**

2. **ROLL CALL AND PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF PREVIOUS MINUTES** (Voice Vote): February 26, 2019

4. **APPROVAL OF AGENDA** (Voice Vote):

5. **COMPLIANCE WITH OPEN MEETING LAW NOTED**

6. **PRESENTATIONS**

- Rep. Considine will give an overview on the recent biennial budget proposal and how it will impact our local communities.
- Bobbie Boettcher will present the Baraboo Area Chamber of Commerce Annual Report.
- The Mayor will read a proclamation declaring the month of April as Fair Housing Month, 2019.

7. **PUBLIC HEARINGS** The Mayor announces that this is the published date and time to hear public comment concerning:

- The Community Development Block Grant (CDBG) and the CLOSE Program

8. **PUBLIC INVITED TO SPEAK** (Any citizen has the right to speak on any item of business that is on the agenda for Council action if recognized by the presiding officer.)

9. **MAYOR'S BUSINESS**

- Mayor would like to congratulate Ron Messer on his 20th Anniversary with the Public Works Dept. Congratulations Ron!
- The Spring Election is April 2, 2019. All City of Baraboo residents vote at the Baraboo Civic Center, polls are open from 7:00am to 8:00pm.

10. **CONSENT AGENDA** (Roll Call)

CA-1...Approve the accounts payable to be paid in the amount of \$_____

11. ORDINANCES ON 2nd READING

SRO-1...An Ordinance revising Chapter 19, Park Regulations. (Ald. Sloan will make an amendment to prohibit only smoking and vaping in city parks.)

SRO-2...An Ordinance amending §9.08 of the Municipal Code to allow the consumption of both fermented malt beverages and wine in certain City parks.

SRO-3...An Ordinance amending §17.08 (89L) of the Municipal Code and adding Section §17.13A to regulate Short-Term Rentals.

SRO-4...An Ordinance amending Chapter 17 Zoning Code of the Municipal Code to add a definition for Pet Grooming and to add Pet Grooming as a permitted use in §17.27 B-1 Central Business District, §17.28 B-2 Neighborhood Business District, §17.29 B-3 Highway-Oriented Business District, and §17.32A I-4 Planned Industrial/Business District.

SRO-5...An Ordinance amending §9.10(3)(b) of the Municipal Code regarding the raising of chickens.

12. NEW BUSINESS RESOLUTIONS

NBR-1...Approve awarding contract for 2019 Emerald Ash Borer treatments to TruGreen Commercial for \$10,339.

NBR-2...Approve using \$10,000 from park Segregated Fund (Zoo Donations) to install a natural water filtration system at the new beaver exhibit at the Oschner Park Zoo.

NBR-3...Approve transferring \$2,184 from funds remaining from the budgeted skidsteer purchase to purchase a new trailer.

NBR-4...Approve using \$3,710 of Parks Segregated Funds for the purpose of installing a timed magnetic lock system at Steinhurst Park restrooms.

NBR-5...Consideration of Proposals for Engineering Services for Oak Street Booster Station Electrical Upgrade for a lump sum amount of \$20,500.

NBR-6...Consideration of Proposals for Engineering Services for Mill Race Water Mains and Sanitary Sewer River Crossing Replacements.

NBR-7...Consider renaming the roadway between South Blvd and Walnut Street, formerly STH 123, to “South Parkway.”

NBR-8...Authorize agreements for the 2019 Public Works Contracts for asphalt paving, asphalt pavement materials, asphalt patching, concrete curb and sidewalk repair, crushed aggregate base course, and concrete and asphalt crushing.

Low bids received from the following:

- | | |
|-----------------------------|---------------------|
| a. D.L. Gasser (3) | d. Yahara Materials |
| b. ABBS Paving | e. Gerke Excavating |
| c. Concrete Service Company | |

NBR-9...Authorize contract with Sunrise Property Care for Noxious Weed and Rank Growth Mowing for 2019.

NBR-10... Authorize contract with Top 2 Bottom for STH 136 (formerly US Hwy 12) Median Mowing for 2019.

NBR-11...Authorize contract with MSA Professional Services for the design of the 2019 Street Improvement Projects at a cost of no more than \$59,000.

NBR-12...Adopt the City Participation Plan for the CDBG-CLOSE Program.

NBR-13...Adopt a Policy to Prohibit the Use of Excessive Force and the Barring of Entrances/Exits for Non-Violent Civil Rights Demonstrations.

13. **NEW BUSINESS ORDINANCES**

14. **OTHER ACTIONABLE ITEMS**

15. **ADMINISTRATOR AND COUNCIL COMMENTS**

16. **REPORTS, PETITIONS, AND CORRESPONDENCE** - The City acknowledges receipt and distribution of the following:

Reports: None

Minutes from the Following Meetings:

Copies of these meeting minutes are included in your packet:

Finance	2-26-19	Public Safety	2-4-19
Plan	1-15-19	Ambulance Comm.	12-5-18
Ambulance Ad-Hoc	12-5-18	BEDC	2-14-19

Copies of these meeting minutes are on file in the Clerk's office:

Library Membership	1-10-19	Library Bldg & Grounds	2-14-19
Library, Friends	2-11-19		

Petitions and Correspondence Being Referred: None

19. **ADJOURNMENT** (Voice Vote)

Brenda Zeman, City Clerk

For more information about the City of Baraboo, visit our website at www.cityofbaraboo.com

MARCH

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
10	11	12	13	14	15	16
		Finance Council				
17	18	19	20	21	22	23
	SCDC PFC Park & Rec.	Plan Library	BID	UW Campus		
24	25	26	27	28	29	30
	Public Safety	Finance Council	Ambulance	Public Arts Emergency Mgmt.		
31	1	2	3	4	5	6

PLEASE TAKE NOTICE - Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format should contact the City Clerk at 101 South Blvd., Baraboo, WI or phone (608) 355-2700 during regular business hours at least 48 hours before the meeting so reasonable arrangements can be made to accommodate each request.

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, February 26, 2019 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Plautz, Sloan, Petty, Ellington, Alt, Zolper, Thurow

Council Members Absent: Kolb

Others Present: Chief Schauf, Clerk Zeman, Adm. Geick, Attny. Truman, J. Bergin, C. Haggard, M. Hardy, T. Pinion, Tori Spinoso, Heather Kierzek, Chantel Steinhorst, Mike Kohlman, Sean McNevin, Kevin Vodak, Lori Mueller, Warren Mohar, Kilton Holmes, Bekah Stelling, members of the press and others.

The Pledge of Allegiance was given.

Moved by Alt, seconded by Wedekind and carried to approve the minutes of January 22, 2019.

1 Abstain - Ellington

Moved by Wedekind, seconded by Ellington and carried to approve the agenda.

Compliance with the Open Meeting Law was noted.

PRESENTATIONS

- Baraboo School Board members Mike Kohlman, Sean McNevin, Kevin Vodak and Superintendent Lori Mueller presented their Phase III proposed project
- Roy Mares with Project Recovery explained the services offered to Baraboo residents
- Library Director Jessica Bergin presented the library's new strategic plan and an update on the library expansion project.

PUBLIC HEARINGS

The Mayor announced that this is the published date and time to hear public comment concerning:

- An Amendment to Chapter 17 Zoning Code of the City of Baraboo General Code of Ordinances to add §17.13A, Short-Term Rentals.

No one spoke and the Mayor closed the Public Hearing.

- An Amendment to Chapter 17 Zoning Code of the City of Baraboo General Code of Ordinances to add Pet Grooming as a permitted use in §17.27 B-1 Central Business District, §17.28 B-2 Neighborhood Business District, §17.29 B-3 Highway-Oriented Business District, and §17.32A I-4 Planned Industrial/Business District.

No one spoke and the Mayor closed the Public Hearing.

PUBLIC INVITED TO SPEAK – None.

MAYOR'S BUSINESS

- The Mayor congratulated Tori Spinoso on her 5th anniversary with the Ochsner Zoo. Congratulations Tori!

CONSENT AGENDA

Resolution No. 18-118

THAT the Accounts Payable, in the amount of \$ 5,391,825.88 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Resolution No. 18-119

THAT, Chantel Steinhorst be appointed to the Park & Recreation Commission filling the unexpired term of Dan Lewison serving until July 31, 2020.

Moved by Wedekind, seconded by Ellington and carried that the Consent Agenda be approved-8 ayes.

2ND READING ORDINANCES

Moved by Ellington, seconded by Alt and carried unanimously to approve the 2nd reading of **Ordinance No. 2509** amending the City's Zoning Code- §§17.20 through 17.35 of the City of Baraboo Code of Ordinances to regulate Conditional Uses in each respective zoning district.

Moved by Sloan, seconded by Petty and carried unanimously to approve the 2nd reading of **Ordinance No. 2510** approving the amended PUD (Planned Unit Development) for Oak Park Property of Baraboo, LLC, at 800 Waldo Street.

NEW BUSINESS**Resolutions:****Resolution No. 18-120**

THAT the Parks and Recreation Department be authorized to purchase a new pickup truck using \$28,000 of budgeted expenditures and \$2,572.50 of funds remaining from the budgeted skid steer purchase

Moved by Petty, seconded by Ellington and carried that **Resolution No. 18-120** be approved-8 ayes.

Resolution No. 18-121

THAT the Parks and Recreation Department be authorized to purchase a walk in freezer for the zoo using \$4,500 of budgeted freezer expenditures, \$2,500 of funds originally budgeted for a tommy lift and \$4,500 of funds originally budgeted for an overhead garage door.

Moved by Alt, seconded by Plautz and carried that **Resolution No. 18-121** be approved-8 ayes.

Resolution No. 18-122

THAT the design for the new kayak launch at Maxwell-Potter recommended by the Parks Commission be approved and constructed in 2019 using received DNR grant and ATC funds received in the amount of \$163,683 pending DNR design approval.

Moved by Wedekind, seconded by Ellington and carried that **Resolution No. 18-122** be approved-8 ayes.

Resolution No. 18-123

To approve the attached contract for services with the Mueller Communication firm of Milwaukee, WI for a cost of approximately \$2,500.

Moved by Sloan, seconded by Petty and carried that **Resolution No. 18-123** be approved-8 ayes.

Resolution No. 18-124

To approve MSA's Proposal for a Four-Way Stop warrant analysis for a Lump Sum Fee of \$1,870.

Moved by Wedekind, seconded by Plautz and carried that **Resolution No. 18-124** be approved – 8 ayes

Resolution No. 18-125

To approve MSA's Proposal for asbestos inspection and sampling and lead paint sampling at 314 Depot Street at an estimated cost of \$1,125.

Moved by Petty, seconded by Ellington and carried that **Resolution No. 18-125** be approved – 8 ayes

Ordinances:

Moved by Plautz to amend the regulations to include the banning of dogs from the Arboretum and prohibiting the use of tobacco products in all City parks, seconded by Ellington and carried unanimously to approve the 1st reading of **Ordinance No. 2511** amending Chapter 19, Park Regulations with the revisions.

An Ordinance making certain amendments to Chapter 19, Park Regulations, City of Baraboo General Code of Ordinances;

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

That the following changes are hereby made to Chapter 19, Park Regulations, of the City of Baraboo General Code of Ordinances:

[19.01 Park Management](#)

[19.02 Park, Definition](#)

[19.03 Unlawful Conduct Prohibited](#)

[19.04 Closing Hours](#)

[19.05 Conduct in Zoo Regulated](#)

[19.06 Motor Vehicles](#)

[19.07 Snowmobiles Prohibited](#)

[19.08 Off-the-Road Vehicles Prohibited](#)

[19.09 Camping](#)

[19.10 Use of Park Facilities; Fees and Deposit](#)

[19.11 Consumption of Beer or Wine in Pierce Park Complex Prohibited Except as Permitted by Leas Alcoholic Beverages](#)

[19.12 Consumption of Alcohol Beverages in Lower Ochsner and Attridge Parks Prohibited During Annual Zoo-Crew Fest, Except as Permitted by Lease Pat Liston Dog Park](#)

[19.13 \(Reserved\)](#)

[19.14 \(Reserved\)](#)

[19.15 Penalty](#)

19.01 PARK MANAGEMENT. The Parks and Recreation Director shall be responsible for the day to day operation of City parks in accordance with policies established by the Parks and Recreation Commission and the Council.

19.02 PARK DEFINITION. As used in this chapter, the term "park" is defined to mean all lands and water hereto-fore and hereafter acquired by the City for park or recreational purposes, or placed under the jurisdiction of

the Parks and Recreation Commission, and includes, without limitation, parks, parkways, greenways, recreational facilities and structures, and privately owned lands the use of which has been granted or leased to the City for park, recreational or like public purposes.

19.03 UNLAWFUL CONDUCT

PROHIBITED. In addition to unlawful conduct prohibited elsewhere in this code, state statute and federal law It shall be unlawful for any person to commit any of the following acts in or upon any public park within the City.

~~(1) — VANDALISM. To soil, deface, injure, remove, damage, upset or destroy any building, fence, fountain, bench, table, receptacle, fireplace, tree, bush, flower or other object situated, used or kept upon park grounds.~~

~~(21)~~ FIRES. To build any fire, except in grills or fireplaces provided for that purpose and in compliance with Chapter 5 of the Baraboo Municipal Code. No person shall leave any fire unattended and all fires shall be extinguished before leaving the area.

~~(3) — DEFACING PARK PROPERTY. To intentionally break, destroy or deface any park properties, features, facilities or structures, including natural objects, upon or within the parks.~~

~~(4) — LITTER. To leave, throw or break any bottle, box, refuse or other object, except in clearly marked refuse receptacles provided for that purpose; or throw, discharge or otherwise place or cause to be placed in the water of any fountain, pond, lake, stream, river or other body of water or on the ice thereof in or adjacent to any park, any substance, matter, or thing, liquid or~~

~~solid, which will or may result in the pollution of said waters. Where receptacles for rubbish are not provided, all waste shall be carried away from the park by the person responsible for it.~~

~~(52)~~ GLASS CONTAINERS. Glass beverage containers of any kind are prohibited in all parks.

~~(36)~~ MOVING PARK EQUIPMENT. To remove benches, seats, tables or other park equipment from any park or park facility unless prior approval of the Parks and Recreation Director is obtained.

~~(4)~~ FIREWORKS. To set off fireworks of any kind, except when a public display permit has been issued by the Mayor pursuant to ~~sec. §~~9.05 of this Code. No sparklers shall be permitted.

~~(58)~~ GAMES, ATHLETICS AND SPORTS. To engage in any athletic contest, game or activity, except in areas specifically designated for such activity, whereby large areas of public grounds are usurped by the participants to the exclusion and at the peril of injury to others, unless prior approval of the Parks and Recreation Director or designee is obtained. ~~Specifically, No~~ one shall participate in playing ball, golf, tennis or archery in any City park, except upon ball fields, golf links, tennis courts or archery ranges, respectively, established by the Commission.

~~(9) — PUBLIC ENTERTAINMENT AND MEETINGS. To take part in any entertainment or exhibition or hold any public meeting or engage in public speaking in any City park without written consent of the Parks and Recreation Commission.~~

- (406) SALES. To vend, sell or offer for sale any food, beverage or other commodity or article to the public within any park without written authorization from the Commission.

~~(11) LOUD AND UNNECESSARY NOISE. To make any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public street adjacent to any City park or within any City park, or to operate a loudspeaker from any vehicle within any City park except upon written permit issued by the Commission upon such terms and conditions as will ensure that the public peace will not be disturbed.~~

- (472) RULES. To fail, refuse or neglect to obey the regularly posted rules and regulations of the Parks and Recreation Commission for the use or enjoyment of any facilities.

- (483) PETS. To take, have, keep or permit any dog, cat or other domesticated pet in any park in the City, with the following exceptions:

a) ~~except a dDogs, cat or other domesticated pet is~~ permitted in Deppe Park, a/k/a Deppe Recreation Area, when so long as the dog such animal is properly restrained.

b) Dogs are permitted on trails, walks and paths through City parks, so long as the dog is properly restrained.

c) Dogs are permitted in the Pat Liston Dog Park. (See also, §19.12)

d) A seeing-eyeService animals, as provided for by the Americans

with Disabilities Act of 1990 dog, when properly restrained, shall be permitted in a City park. A

- e) A dog, cat or domesticated pet may be kept within a motor vehicle legally parked in posted parking areas within City parks. (1843 11/28/95)

f) With prior written authorization from the Parks and Recreation Director or designee.

For the purpose of this section, "properly restrained" shall mean the dog must be on a leash strap, chain, or cord that is no more than eight (8) feet in length and of appropriate strength to control the dog and used by a person of sufficient capability to restrain, control, and guide the dog.

- (494) MOLESTING ANIMALS. To molest, disturb, chase or throw objects at any animal or bird within any park.

- (150) SIGNS. To paste, glue, tack or otherwise post any sign, placard or advertisement, or solicit business of any nature in any park without prior written authorization from the Parks and Recreation Director or designee.

- (161) DISORDERLY CONDUCT. To engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance, endangers other persons or property, or unreasonably interferes with the use of the park by others.

19.04 CLOSING HOURS.

- (1) No person shall be or remain in any park between the hours of 10:00

p.m. and 6:00 a.m., with the exception of the Pat Liston Dog Park, which shall be open from sunrise to sunset, except with written permission granted by the Parks and Recreation Commission or its Director to use the park during said prohibited hours under terms and conditions to be determined by the Parks and Recreation Commission or its Director; provided this section shall not prohibit passing through a park area on a public roadway, walkway or the Riverwalk without stopping. All parks shall be closed to the general public during the following hours:—(1836 10/24/95)

—

November 1 to April 30:
Between 7:00 P.M. and 6:00 A.M.

May 1 to October 31:
Between 9:00 P.M. and 6:00 A.M.

~~It shall be unlawful for any person or group to occupy or be present in any park during hours in which the park is not open to the public, except when permission, in writing, has been granted by the Parks and Recreation Commission or its Director for a group to conduct an activity or use specific facilities or buildings for an activity which extends beyond the regular closing hours.~~

- (2) Any park or part thereof may be declared closed to the public by the Parks and Recreation Commission or its Director at any time and for any interval of time, either temporarily or at regular or stated intervals. It shall be unlawful for any person to enter or be present in any park or portion thereof which has been closed to the public.

19.05 CONDUCT IN ZOO REGULATED.

- (1) **HARASSMENT OF ANIMALS.** No person shall engage in any conduct under circumstances which tends to harass, annoy, disturb or endanger the health, welfare, safety and living environment of the Ochsner Park Zoo animals including, but not limited to, teasing, harassing, mocking, throwing objects, spitting, making loud and disturbing noises, feeding harmful foods or drink, touching or hitting with objects, or intentional molestation.

- (2) **FEEDING OF ANIMALS.** No person shall feed or give any substance to any Ochsner Park Zoo animal except for those animals where feeding is specifically allowed by a sign located on or near the animals' cage or enclosure.

- (3) **BARRIERS.** All persons visiting the Zoo shall adhere to and stay behind all barrier structures.

- (4) **DESTRUCTION OF PLANTS PROHIBITED.** It shall be unlawful for any person to disturb or destroy any of the vegetation within the zoo grounds, specifically for the purpose of feeding the animals.

- (5) **FOOD AND BEVERAGES PROHIBITED.** Visitors are prohibited from taking food or beverages into the zoo.

- (6) **TOBACCO USE PROHIBITED.**
The use of tobacco products, including smoking, vaping and chewing tobacco, is prohibited within the zoo grounds.

19.06 MOTOR VEHICLES.

- (1) Except for authorized City employees, No person shall drive or

- park a motor vehicle in any park, except on such roads or parking lots specifically designated for the use of motor vehicles unless specifically permitted in writing by the Parks and Recreation Director.s.

- (2) No person shall operate a motor vehicle at a speed in excess of 15 miles per hour or in excess of any other posted speed limit, whichever is less.
- (3) No person shall operate a motor vehicle in a reckless or imprudent manner or in any manner which may tend to create a disturbance or endanger the safety of persons using the parks.

19.07 SNOWMOBILES PROHIBITED. It shall be unlawful for any person to operate a snowmobile in any park.

19.08 OFF-THE-ROAD VEHICLES PROHIBITED. Except for authorized City employees, it shall be unlawful for any person to operate any mini-bike, go-cart, motorcycle or other off-the-road vehicle in any park unless specifically permitted in writing by the Parks and Recreation Director.k.

19.09 CAMPING. No camping shall be permitted in any park, except upon the written permission of the Parks and Recreation Commission and in campground areas designated by the Commission.

19.10 USE OF PARK FACILITIES; FEES AND DEPOSIT.

- (1) RENTAL FACILITIES. The Schedule of Rental Facilities and respective fees as established by the Parks and Recreation Commission on file in the office of the Parks and Recreation Director is hereby adopted by reference. It shall be unlawful for

any person to use such rental facilities for an event that requires a reservation without first paying the designated fee.

- (2) RESERVATION OF OTHER PARK FACILITIES. Other park facilities and park areas may be reserved on a first-come first-served basis upon making application to the Parks and Recreation Director.
- (3) DEPOSITS. The Parks and Recreation Director may require a cash deposit for any reserved park facilities. All or part of said deposit may be retained in the event the facility or area is not cleaned up or if facility keys are not returned.

19.11 CONSUMPTION OF ALCOHOLIC BEVERAGES. The possession and consumption of beer and wine is permitted in all parks when possessed and/or consumed in compliance with all other relevant local and state laws, with the following exceptions.

- ~~(4) — (1) PIERCE PARK COMPLEX. Beer Or Wine In Pierce Park Complex Prohibited Except As Permitted By Lease.~~
- ~~(4) —~~ No person shall sell, possess or consume any alcohol beverages within the Pierce Park Complex except as authorized by and pursuant to the Park and Recreation Commission Lease of the Concession Stand at the Park.
- ~~(2) —~~ During the times when the Tenant of the Pierce Park Concession Stand is not open for business, fermented malt beverages and wine may be brought in and consumed in the Pierce Park Complex if specifically permitted in writing by the Parks and Recreation Director. Director or Assistant Director of the City's Park and Recreation Department. (1512 05/10/88)

(2) ZOO CREW FEST. 19.12
Consumption of alcohol beverages
in lower ochsner and attridge parks
prohibited during annual zoo crew fest,
except as permitted by lease. (1643
05/12/92)—No person shall sell, possess
or consume any alcohol beverages within
Lower Ochsner and Attridge Parks during
those dates and times as established by
resolution of the Park and Recreation
Commission for the annual Baraboo Zoo
Crew Fest held at Ochsner and Attridge
Parks, except as authorized and pursuant
to any Park and Recreation Commission
lease of said Parks. (1643 05/12/92)

(3) PARK PROHIBITIONS. Alcoholic
beverages may not be consumed in the
following parks at any time: Campbell
Park, Hackett Hollow Conservancy,
Liston Dog Park, Nanny Park and on the
Riverwalk. An exception may be made
for Nanny Park for beer and/or wine as
part of a special event license (See
§12.05, City Code).

19.12 PAT LISTON DOG PARK. Dogs are
permitted to run unleashed in the designated
and fenced area of the Pat Liston Dog Park,
subject to the following conditions:

- (1) Children under the age of 16 must
be with an adult.
- (2) Each handler is allowed a
maximum of two dogs in the park at a
time.
- (3) Only one person and their dog(s)
are allowed in the release area at a time.
- (4) Dogs must be on a leash when
entering and exiting the off leash area.

(5) Handlers must remain inside the
designated area at all times when their
dog(s) are off leash.

(6) Choke, prong, pinch and spike
collars are not allowed on dogs in the off
leash area.

(7) Female dogs in heat are not
permitted.

(8) Strollers, bikes, skis, rollerblades
and children's toys are prohibited.

(9) Food, smoking, glass containers
and barefeet are prohibited.

(10) Aggressive dogs and dogs
exhibiting aggressive behavior must be
removed immediately.

(11) Handlers must either use the
provided waste bags or bring their own
shovel, scoop or bag for removal of fecal
matter and must remove and deposit the
fecal matter in the provided a waste
containers.

(12) Dogs must be licensed by the city
of Baraboo or other governmental
agency, or the handler must have in his
or her possession written proof that the
dog is currently vaccinated against
rabies.

(13) All dogs must have a current dog
park permit. (See also, §12.08A).

(14) Handlers must fill in any holes dug
by their dog(s) immediately using the
provided fill.

19.13 to 19.14 (Reserved)

19.15 PENALTY. Any person who violates any
provision of this chapter may be subject to a
penalty as provided in §25.04 of this code.

This Ordinance shall take effect upon passage and publication as provided by law.

Moved by Sloan, seconded by Petty and carried unanimously to approve the 1st reading of
Ordinance No. 2512 amending Section 9.08(4) of the Baraboo Municipal Code to allow the
consumption of both fermented malt beverages and wine in City parks.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

1. Section 9.08(4) of the Baraboo Municipal Code is amended as follows:

(4) EXCEPTIONS.

- (a) The prohibitions in subs. (2) and (3) above shall not apply to those events or activities that are otherwise permitted or licensed pursuant to Chs. 12 and 19 of this Code.
- (b) The prohibitions in sub. (2) above shall not apply to the consumption of fermented malt beverages ~~or wine~~ in City parks, except as otherwise prohibited in Ch. 19 of this Code.
- (c) The prohibitions in subs. (2) and (3) above shall not apply to those persons who transport unopened fermented malt beverages or intoxicating liquor from a point of purchase to their destination unless it is in violation of §346.93 or 125.09(2), Wis. Stats.

2. This Ordinance shall take effect upon passage and publication as provided by law.

Moved by Ellington, seconded by Alt and carried unanimously to approve the 1st reading of **Ordinance No. 2513** amending the Short-Term Rental regulations.

An Ordinance amending §17.08 (89L) and adding Section §17.13A to Zoning Code to regulate Short-Term Rentals.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

17.08

DEFINITIONS. Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the same meaning as they have at common law. (1652 09/14/92, 2446 08/23/2016)

(89L) ~~**SHORT TERM RENTAL DWELLING** (2446 08/23/2016) Any single family dwelling that is rented to any person on a day to day basis or for a period of time of less than 30 consecutive nights. Any advertising of a short term rental dwelling shall be conclusive proof that a dwelling is being used as a short term rental~~

~~dwelling. Any real property that is used for short term rental shall no longer be considered a single family dwelling.~~

Short-Term Rental means a residential dwelling that is offered for rent for a fee and for fewer than 29 consecutive days, as defined in § 66.0615 (1)(dk), Wis. Stat.

17.13A SHORT-TERM RENTALS

- (1) **PURPOSE.** The purpose of this ordinance is to ensure that the quality of short-term rentals operating within the City is adequate for protecting public health, safety and general welfare,

including: establishing minimum standards of space for human occupancy and for an adequate level of maintenance; determining the responsibilities of owners, operators and property managers offering these properties for tourists or transient occupants, to protect the character and stability of all areas, especially residential areas, within the City; to provide minimum standards necessary for the health and safety of persons occupying or using buildings, structures or premises; and providing for the administration and enforcement thereof.

- (2) **DEFINITIONS.** For the purpose of administering and enforcing this Article, the terms or words used herein shall be interpreted as follows:

Clerk means the City Clerk of the City of Baraboo or designee.

Corporate Entity means a corporation, partnership, limited liability company, or sole proprietorship licensed to conduct business in this state.

License means the Short-Term Rental License issued under this Article.

Owner means the owner of a short-term rental.

Owner occupied means the Owner resides in the premise a minimum of 210 days per year.

Person shall include a corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals, including a personal representative, receiver or other representative appointed according to law. Whenever the word person is used

in any Article of this Article prescribing a penalty or fine, as to partnerships or associations, the word shall include the partners or members hereof, and as to corporations, shall include the officers, agents or members thereof who are responsible for any violation of such Article.

Property Manager means any person that is not the Owner that is appointed to act as agent and/or provides property management services to one or more short-term rental.

State means the State of Wisconsin Department of Health, or its designee.

- (3) **SHORT-TERM RENTAL LICENSE.**

(a) All License applications shall be filed with the Clerk on forms provided. Applications must be filed by the Owner. No license shall be issued unless the completed application form is accompanied by payment of the required fee.

(b) Each application shall include the following information and documentation for each short-term rental unit:

- i. Owner's name, address and phone number;
- ii. Property Manager's name, address and phone number, if applicable (see §17.xx(4), below);
- iii. A copy of State of Wisconsin License for a Tourist Rooming House License issued under §254.64, Wis. Stat;

- iv. A copy of a completed State Lodging Establishment Inspection form dated within one (1) year of the date of issuance or renewal;
 - v. Proof of insurance (see §17.XX(5)(12), below);
 - vi. Floor plan and requested maximum occupancy;
 - vii. Site plan including available onsite parking;
 - viii. A Room Tax Permit issued pursuant to §3.14, Baraboo Municipal Code;
 - ix. A Seller's Permit issued by the Wisconsin Department of Revenue;
 - x. An employer identification number issued by the Internal Revenue Service.
- (c) Each permit and license shall run during a calendar year. Any application which does not include all of the information and documentation shall not be considered as complete.
- (d) When satisfied that the application is complete, the Clerk shall forward the application to the appropriate City Departments for review. If the Clerk in consultation with City staff determines that the application meets the requirements of this Article, the Clerk shall approve the application. If the Clerk in consultation with City staff determines that the application does not meet the requirements of this Article, the Clerk shall deny the application.
- (e) No License shall be issued or renewed unless there is filed with the Clerk a completed Fire Inspection Report dated not more than one (1) year before the date of issuance or renewal.
- (f) No License shall be issued or renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the City, unless arrangements for payment have been approved by the Clerk.
- (4) PROPERTY MANAGER.
- (a) A Property Manager is required for any short-term rental that is not owner occupied.
- (b) To qualify as a Property Manager, the Property Manager must meet the following requirements:
- i. Be a natural person residing in or within twenty-five (25) miles of the City, or a corporate entity with offices located within twenty-five (25) miles of the City.
 - ii. Not have pending any criminal charge or been convicted of a felony or misdemeanor of any offense involving dishonesty, fraud, deceit, robbery, the use or threatened use of force or violence upon the person of another.
- (c) Each Property Manager shall be authorized by the Owner to act as the agent for the Owner for the receipt of service of notice of violation of this Article's provisions and for service of process pursuant to this Article and shall be authorized by the Owner to allow City employees, officers and their designees, to enter the Owner's property for purposes of inspection

and enforcement of this Article
and/or the City Municipal Code.
(5) OPERATION OF SHORT-TERM
RENTALS.

(a) No person may maintain, manage, or operate a short-term rental more than six (6) nights in a 365-consecutive day period without a License.

(b) Every short-term rental shall be operated by an Owner or Property Manager.

(c) Each short-term rental shall comply with all of the following:

- i. No vehicular traffic shall be generated that is greater than normally expected in the residential neighborhood.
- ii. There shall not be excessive noise, fumes, glare, vibrations generated during the use.
- iii. Name plates or other signage shall not exceed one square foot. No other signage advertising the short-term rental is permitted on site. Off-site advertising in media channels relating to the availability of the rental may take place only after all City, County and State permits and licenses have been obtained.
- iv. The number of occupants in any unit shall not exceed the limits set forth in the State of Wisconsin Uniform Dwelling Code and other applicable county and City housing regulations based upon the number of bedrooms in each unit.

- v. No recreational vehicles (RVs), camper, tent, or other temporary lodging arrangement shall be permitted on site as a means of providing additional accommodations for paying guests or other invitees.
- vi. Any outdoor event held at the short-term rental shall last no longer than one day, occurring between the hours of 8:00 a.m. and 10:00 p.m. Any activities shall be in compliance with other noise regulations of the City.
- vii. Compliance with all applicable state, county, and local codes and regulations is required.
- viii. Annual general building inspection is required prior to issuance or renewal of the license, to be conducted by the Building inspector and Fire Inspector at the sole cost of the Owner.
- ix. Short-term rental licenses are issued for one year period and must be renewed annually as provided for in this Article.
- x. Each short-term rental shall carry casualty and liability insurance at all times and issued by an insurance company authorized to do business in this state by the Wisconsin Office of the Commissioner of Insurance, with liability limits of not less than \$300,000 per individual and \$1,000,000 aggregate.
- xi. Each short-term rental shall maintain the following

- written records for each rental of the dwelling unit: the full name and current address of any person renting the property, the time period for that rental, and the monetary amount or consideration paid for that rental.
- xii. Each license shall be displayed on the inside of the main entrance door of each short-term rental.
- (6) RENEWAL.
- (a) Each application for a renewal License shall include updated information for the documentation on file with the Clerk and payment of the applicable fee. The Clerk shall verify that the information provided on the renewal application is complete and in accordance with the requirements of this Article. The Clerk shall request reports from the Police Department and Zoning Administrator regarding any complaints received, calls for service or actions taken regarding the short-term rental properties.
- (b) The Clerk shall issue renewal licenses within thirty (30) days of the filing of the application unless the information provided is incomplete or otherwise not in compliance with the requirements of this Article and/or the reports from the Police Department and the Zoning Administrator indicate that there are complaints or actions involving the property that substantially relate to the use of the property as a short term rental. If the Clerk finds that the license or permit should not be renewed, the Clerk shall deny the renewal.
- (c) No License shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the City, or is under an order issued by the Building Inspector, Fire Inspector, Zoning Administrator or Police Department to bring the premises into compliance with City ordinances, unless arrangements for payment have been approved by the Finance Director.
- (7) STANDARDS FOR SHORT-TERM RENTALS. Each short-term rental shall comply with this Article's requirements or any other applicable City ordinance. Each short-term rental shall comply with the following minimum requirements:
- (a) One (1) internal full bathroom for every four (4) occupants;
- (b) Not less one hundred fifty (150) square feet of floor space for the first occupant thereof and at least an additional one hundred (100) square feet of floor space for every additional occupant thereof; the floor space shall be calculated on the basis of total habitable room area. Floor space is determined using interior measurements of each room. Floor space does not include kitchens, bathrooms, closets, garages, or rooms not meeting Uniform Dwelling Code requirements for occupancy. The maximum occupancy for any premises without a separate enclosed bedroom is two (2) people;
- (c) Not less than one (1) onsite off-street parking spaces for every four (4) occupants based upon maximum occupancy;

- (d) At least two safe, unobstructed means of egress from the short-term rental leading to safe, open space at ground level;
- (e) Shall have functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Chapter SPS 321 of the Wisconsin Administrative Code;
- (f) Shall not have an accessible wood burning fireplace unless the property owner provides a certificate from a properly licensed inspector, dated not more than thirty (30) days prior to submission, certifying that the fireplace and chimney have been inspected and are in compliance with National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances;
- (g) Shall not have a hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking or any other purpose on any balcony, deck or under any overhanging structure or within ten (10) feet of any structure;
- (h) Shall not have a fire pit or other similar device used for heating or any other purpose on any balcony, deck or under any overhanging structure or within fifteen (15) feet of any structure.
- (8) APPEAL AND LICENSE REVOCATION
- (a) The denial of a License application or renewal under this Article may be appealed by filing a written appeal request with the Clerk within ten (10) calendar days of the City's notice of denial. The appeal shall be governed by Chapter 6 of the Baraboo Municipal Code.
- (b) A License may be revoked by the Clerk for one or more of the following reasons:
- Failure of the Owner to make timely payment on taxes or debt owed to the City;
 - Failure of the Owner to make timely payment of the room tax;
 - Determination by the Chief of Police that the property is a Chronic Nuisance Premises, as defined by §10.05A, Baraboo Municipal Code.
 - Failure to maintain all required local, county, and state licensing requirements;
 - Failure to use the property as a short-term rental within twelve (12) months of obtaining the License;
 - Any violation of local, county, or state laws that substantially harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.
- (9) PENALTIES
- (a) Any person who violates any provision of this Article shall be subject to a penalty as provided in §25.04, Baraboo Municipal Code.
- (b) Penalties set forth in this Article shall be in addition to all other remedies of injunction, abatement or costs whether existing under this Article or otherwise

- | | |
|---|---|
| <p>(10) <u>FEES</u>. Initial and renewal Short-Term Rental application fee shall be \$200.00. This fee is nonrefundable and due upon application or renewal submission to the Clerk.</p> <p>(11) <u>SEVERABILITY</u>. If any provision of this Article and its ordinances is held</p> | <p>invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this Article or its ordinances. It is hereby declared to be the intention of the City of Baraboo that all provisions of this Article and its ordinances therein are separable.</p> |
|---|---|

This Ordinance shall take effect upon passage and publication as provided by law.

Moved by Sloan, seconded by Petty and carried unanimously to approve the 1st reading of **Ordinance No. 2514** allowing Pet Grooming in areas of the City that are zoned B-1, Central Business District, B-2, Neighborhood Business District, B-3, Highway-Oriented Business District and I-4, Planned Industrial/Business District.

An Ordinance amending Chapter 17 Zoning Code of the City of Baraboo General Code of Ordinances to add a definition of “Pet Grooming” under §17.08(78B) and to make Pet Grooming a principal permitted use in the B-1 Central Business District, B-2 Neighborhood Business District, B-3 Highway-Oriented Business District, and I-4 Planned Industrial/Business District.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO
ORDAIN AS FOLLOWS:

1. The creation of a definition for “Pet Grooming” under §17.08(78B), City of Baraboo Code of Ordinances, to read:

PET GROOMING means an establishment kept for the purpose of providing nonmedical services such as bathing, trimming, shaving, or styling for dogs and/or cats for the purpose of cleanliness or the maintenance of the dog and/or cat’s coat or claws and where all such services, in addition to the temporary kenneling of the dogs and/or cats both prior to and after receiving the services, occurs indoors.

2. The addition of Pet Grooming as a permitted use under §§17.27, 17.28, 17.29 and 17.32A of the City of Baraboo Code of Ordinances:

17.27 B-1 CENTRAL BUSINESS DISTRICT.

...

(2) PRINCIPAL PERMITTED USES

...

(b1) Pet Grooming

17.28 B-2 NEIGHBORHOOD BUSINESS DISTRICT.

...

(2) PRINCIPAL PERMITTED USES

...
(am) Pet Grooming

17.29 B-3 HIGHWAY-ORIENTED BUSINESS DISTRICT.

...
(2) PRINCIPAL PERMITTED USES

...
(ch) Pet Grooming

17.32A I-4 PLANNED INDUSTRIAL/BUSINESS DISTRICT.

...
(2) PRINCIPAL PERMITTED USES

...
(d) Highway Oriented Business uses:
...
86. Pet grooming.

This Ordinance shall take effect upon passage and publication as provided by law.

Moved by Ellington, seconded by Plautz and carried unanimously to approve the 1st reading of **Ordinance No. 2515** amending Section 9.10(3)(b) regarding the raising of chickens.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN
AS FOLLOWS:

1. Section 9.10(3)(b) of the City of Baraboo Municipal Code is amended as follows:
Clean Version Of Ordinance, Edits To Current Ordinance Accepted:

Chickens. Chickens may be raised in the R-1, R-1A, R-2, R-3, and MH-S Residential Zoning Districts provided the following conditions are met: (2458 08/27/17)

1. Permit Required. The keeping of chickens shall require a permit issued by the City Clerk.
 - a. Application and Review. Upon receipt of a completed permit application, other than a renewal application pursuant to Subs. (1)(c), below, the City Clerk shall notify by regular mail all property owners contiguous with the parcel proposed for the chicken coop. These property owners shall have 10 business days from the date of the letter to file with the City Clerk a written objection, signed by the objector, to the permit being issued.
 - i. If an objection is received, the City Clerk shall place the permit application on the next regularly scheduled Administrative Committee meeting agenda, and at the meeting the objection will either be read into the record or the objector will have an opportunity to be heard on the objection. The Administrative Committee shall approve the application so long as the following are satisfied:
 1. The basis for the objection is not reasonable, is not relevant to the

- facts presented, and/or the benefit to the applicant outweighs the reasons for the objection made by the objector.
2. The applicant does not have a history of non-compliance with this ordinance, or, if there is a history of non-compliance, the applicant has provided sufficient proof that such non-compliance will not continue.
 3. The coop and run have been inspected by the City Humane Officer or designee to ensure that they are adequate and in compliance with the requirements this ordinance.
 4. The applicant has no prior convictions for animal cruelty or related offenses.
 5. The applicant is not delinquent in the payment of any taxes, assessments or other claims owed to the City, including a forfeiture resulting from a violation of any ordinance of the City.
- ii. If an objection is not received, the Chief of Police or designee shall approve the City Clerk's issuance of the permit so long as the following are satisfied:
1. The applicant does not have a history of non-compliance with this ordinance or, if there is a history of non-compliance, the applicant has provided sufficient proof that such non-compliance will not continue.
 2. The coop and run have been inspected by the City Humane Officer or designee to ensure that they are adequate and in accordance with the requirements of this ordinance.
 3. The applicant has no prior convictions for animal cruelty or similar offenses.
 4. The applicant is not delinquent in the payment of any taxes, assessments or other claims owed to the City, including a forfeiture resulting from a violation of any Ordinance of the City.
- b. Expiration. All permits shall expire on June 30 of every odd numbered year.
- c. Renewal. Current permit holders may apply for a renewal license at any time, but no sooner than three months prior to the permit expiration date and no later than five days prior to the expiration date. Prior to the issuance of a renewal permit, the City Humane Officer or designee shall inspect the coop and run to ensure continued compliance with this code; failure to be in compliance with this code at the time of inspection shall result in the renewal license not being issued and the permit holder needing to apply for a new license pursuant to Subs. (1)(a), above.
- d. Revocation. In the event that a permit holder accumulates three violations of this section within any 12-month period, or five violations within any 36-month period, or if the permit holder is convicted of an offense under Ch. 951, Wis. Stats., or any comparable statute in another jurisdiction, the permit shall be revoked 10 business days after the service of a Notice of Revocation on the permit holder by the City Clerk. Notice of Revocation is deemed served upon the day of mailing if sent by certified mail to the permit holder at the address as listed upon the application for the permit. If, during those 10 business days the permit holder files a request for an appeal with the City Clerk, the revocation will be stayed pending the outcome of the appeal. The Administrative Committee shall hear the appeal at their next regularly scheduled meeting and make a determination on the revocation based on whether there are validated complaint(s) investigated by the Baraboo Police Department.

- e. Denials and Non-Renewals. The denial, non-renewal or revocation of a permit shall not preclude an applicant from applying for a permit at any time in the future.
 - f. Non-Transferrable. Permits are non-transferrable from person to person or place to place. In the event a permit holder moves, the permit holder must notify the City Clerk within 10 calendar days of said move and the permit shall then be voided by the City Clerk.
 - g. Fees. The application fee for a permit shall be \$25.00, except the application fee for a renewal permit pursuant to Subs. (1)(c), above, shall be \$10.00. All fees are non-refundable, cannot be non-prorated, and are due in full prior to the processing of the application by the City Clerk.
2. Parcel, Coop and Run Requirements.
- a. Chicken coops and runs shall not be located closer than 10 feet to any lot line and may not be located closer to a neighboring residence than to the residence located upon the coop's parcel.
 - b. The lot upon which the chickens are raised shall have a minimum width of fifty feet, and contain only a single-family dwelling. In addition, all contiguous properties to the lot upon which the chickens are raised shall contain only a single-family or two-family dwelling.
 - c. A zero lot line duplex is not qualified to have chickens.
 - d. The chickens shall be provided with a covered coop with not less than two nor more than four square feet of area per chicken.
 - e. The coop shall be constructed of sturdy, predator-proof material and shall provide adequate shade from the sun and warmth in cold weather. The floor of the coop shall be covered with wood or cedar chips and be regularly cleaned and otherwise maintained.
 - f. The coop may be built as part of a yard shed or garage, but cannot be placed on top of a building.
 - g. Chickens shall be provided with a run attached to or surrounding the coop. The run shall be made of strong, predator-proof wire fencing. To prevent chickens from flying out of the run, fencing shall be of sufficient height, be covered, or the chickens shall have their wings clipped.
 - h. Chickens shall be kept in the covered coop or in the fenced run at all times.
3. Miscellaneous Provisions.
- a. Chickens shall not be allowed inside of a residence.
 - b. Chickens may only be raised on the property of the owner, or if a tenant, with the written consent of the owner.
 - c. Roosters and crowing cockerels shall not be kept.
 - d. The slaughtering of chickens in the Residential Zoning Districts is prohibited.
 - e. The standards and requirements of §12.13(16) & (17)(b) of the Baraboo Municipal Code shall fully apply to the keeping of chickens.

Redlined Version, Showing Edits To Current Ordinance:

Chickens. Chickens may be raised in- the R-1, R-1A, R-2, R-3, and MH-S Residential Zoning Districts provided the following conditions are met: (2458 08/27/17)

4. Permit Required. The keeping of chickens shall require a permit issued by the City Clerk.

- a. Application and Review. Upon receipt of a completed permit application, other than a renewal application pursuant to Subs. (1)(c), below, the City Clerk shall notify by regular mail all property owners contiguous with the parcel proposed for the chicken coop. These property owners shall have 10 business days from the date of the letter to file with the City Clerk a written objection, signed by the objector, to the permit being issued.
 - i. If an objection is received, the City Clerk shall place the permit application on the next regularly scheduled Administrative Committee meeting agenda, and at the meeting the objection will either be read into the record or the objector will have an opportunity to be heard on the objection. The Administrative Committee shall approve the application so long as the following are satisfied:
 - 1. The basis for the objection is not reasonable, is not relevant to the facts presented, and/or the benefit to the applicant outweighs the reasons for the objection made by the objector.
 - 2. The applicant does not have a history of non-compliance with this ordinance, or, if there is a history of non-compliance, the applicant has provided sufficient proof that such non-compliance will not continue.
 - 3. The coop and run have been inspected by the City Humane Officer or designee to ensure that they are adequate and in compliance with the requirements this ordinance.
 - 4. The applicant has no prior convictions for animal cruelty or related offenses.
 - 5. The applicant is not delinquent in the payment of any taxes, assessments or other claims owed to the City, including a forfeiture resulting from a violation of any ordinance of the City.
 - ii. If an objection is not received, the Chief of Police or designee shall approve the City Clerk's issuance of the permit so long as the following are satisfied:
 - 1. The applicant does not have a history of non-compliance with this ordinance or, if there is a history of non-compliance, the applicant has provided sufficient proof that such non-compliance will not continue.
 - 2. The coop and run have been inspected by the City Humane Officer or designee to ensure that they are adequate and in accordance with the requirements of this ordinance.
 - 3. The applicant has no prior convictions for animal cruelty or similar offenses.
 - 4. The applicant is not delinquent in the payment of any taxes, assessments or other claims owed to the City, including a forfeiture resulting from a violation of any Ordinance of the City.
- b. Expiration. All permits shall expire on June 30 of every odd numbered year.
- c. Renewal. Current permit holders may apply for a renewal license at any time, but no sooner than three months prior to the permit expiration date and no later than five days prior to the expiration date. Prior to the issuance of a renewal permit, the City Humane Officer or designee shall inspect the coop and run to ensure continued compliance with this code; failure to be in compliance with this code at the time of inspection shall result in the renewal license not being issued and the permit holder

- needing to apply for a new license pursuant to Subs. (1)(a), above.
- d. Revocation. In the event that a permit holder accumulates three violations of this section within any 12-month period, or five violations within any 36-month period, or if the permit holder is convicted of an offense under Ch. 951, Wis. Stats., or any comparable statute in another jurisdiction, the permit shall be revoked 10 business days after the service of a Notice of Revocation on the permit holder by the City Clerk. Notice of Revocation is deemed served upon the day of mailing if sent by certified mail to the permit holder at the address as listed upon the application for the permit. If, during those 10 business days the permit holder files a request for an appeal with the City Clerk, the revocation will be stayed pending the outcome of the appeal. The Administrative Committee shall hear the appeal at their next regularly scheduled meeting and make a determination on the revocation based on whether there are validated complaints investigated by the Baraboo Police Department.
 - e. Denials and Non-Renewals. The denial, non-renewal or revocation of a permit shall not preclude an applicant from applying for a permit at any time in the future.
 - f. Non-Transferrable. Permits are non-transferrable from person to person or place to place. In the event a permit holder moves, the permit holder must notify the City Clerk within 10 calendar days of said move and the permit shall then be voided by the City Clerk.
 - g. Fees. The application fee for a permit shall be \$25.00, except the application fee for a renewal permit pursuant to Subs. (1)(c), above, shall be \$10.00. All fees are non-refundable, cannot be non-prorated, and due in full prior to the processing of the application by the City Clerk.
5. Parcel, Coop and Run Requirements.
- a. Chicken coops and runs shall not be located closer than ten feet to any lot line, and may not be located closer to a neighboring residence than to the residence located upon the coop's parcel.
 - f.—The lot upon which the chickens are raised shall have a minimum width of fifty feet, and contain only a single-family dwelling. In addition, all contiguous properties to the lot upon which the chickens are raised shall contain only a single-family or two-family dwelling. A zero lot line duplex is not qualified to have chickens.
 - g. ~~The chickens are raised on the property of the owner, or if a tenant, with the written consent of the owner.~~
 - h. ~~Roosters and crowing cockerels shall not be kept.~~
 - i. ~~No more than six chickens may be maintained on any parcel.~~
 - j.—The chickens shall be provided with a covered coop with not less than two nor more than four square feet of area per chicken. The coop shall be constructed of sturdy, predator-proof material and shall provide adequate shade from the sun and warmth in cold weather. The floor of the coop shall be covered with wood or cedar chips and be regularly cleaned and otherwise maintained. The coop may be built as part of a yard shed or garage, but cannot be placed on top of a building.
 - k.—Chickens shall be provided with a run attached to or surrounding the coop. The run shall be made of strong, predator-proof wire fencing. To prevent chickens from flying out of the run, fencing shall be of sufficient height, be covered, or the chickens shall have their wings clipped.
 - l. ~~Chickens shall not be allowed inside of a residence.~~
 - m.b. _____ Chickens shall be kept in the covered coop or in the fenced run at all times.

6. Miscellaneous Provisions.

a. Chickens shall not be allowed inside of a residence.

b. Chickens may only be raised on the property of the owner, or if a tenant, with the written consent of the owner.

c. Roosters and crowing cockerels shall not be kept.

n.d. The slaughtering of chickens in the Residential Zoning Districts is prohibited.

o. _____

p. Chicken coops and runs shall not be located closer than ten feet to any lot line, and may not be located closer to a neighboring residence than to the residence located upon the coop's parcel.

q.e. _____

r.f. The keeping of chickens shall require a permit issued by the City. No permit shall be issued unless and until the coop and run have been inspected to ensure that they are adequate and in accordance with the requirements of this ordinance. The Administrative Committee shall review applications for chicken permits. Not less than 10 days notice of an application review shall be provided to all property owners contiguous with the parcel proposed for a chicken coop, or contiguous to those property owners. No application shall be approved if 50% or more of the property owners notified object to the granting of the permit. Such objections shall either be in writing and signed by the property owner, or be made by personal appearance at the Administration Committee meeting. All requirements of this ordinance for the keeping of chickens shall be complied with, both at the time of the initial granting of a permit, as well as at all subsequent renewals of any permit.

s.g. _____

t. The standards and requirements of §12.13(16) & (17)(b), Ordinances Baraboo Municipal Code, shall fully apply to the keeping of chickens.

u. _____

v. Revocation of Permit. In the event that a permit holder accumulates three violations of this section within any 12 month period, or five violations within any 36-month period, the permit shall be revoked. A person whose permit is revoked shall have the right to a hearing on the revocation before the City Administrator, if such hearing is requested in writing within 10 days of service of the Notice of Revocation. A Notice of Revocation is deemed served upon the day of mailing if sent by certified mail to the applicant of the permit at the address as listed upon the application for the chicken permit.

w. _____

x. Enforcement. The provisions of this section shall be enforced by the City and Sauk County Humane Officers or City Police Officer.

y. _____

z. Penalties. Any person violating any provisions of this section shall be subject to a penalty as provided in §25.04, Ordinances.

aa. _____

bb. The Fee Schedule shows the application fee for an initial permit for chickens as allowed by §9.10(3)(b), Ordinances, to be \$25.00. The annual renewal fee for a previously issued chicken permit is \$10.00.

ee.h.

This Ordinance shall take effect upon passage and publication as provided by law.

OTHER ACTIONABLE ITEMS:

The Mayor introduced Heather Kierzek. Moved by Ellington, seconded by Alt to appoint Heather Kierzek as Alderperson for District #8 to serve until April 21, 2020. Motion carried unanimously.

ADMINISTRATOR AND COUNCIL COMMENTS

Ald. Zolper thanked the Council for letting him serve with them. The Mayor, City Administrator and everyone that it takes to run the City, thank you for doing such a great job. One of his first memories is of touring all the different departments and learning what it takes to run the City. We really do a great job and it's been a pleasure.

REPORTS and MINUTES

The City officially acknowledges receipt and distribution of the following:

Monthly Reports for January, 2019 - Treasurer, Building Inspection, Fire Dept.

Minutes from the Following Meetings –

Finance/Personnel Committee – Dennis Thurow Committee Rm, #205

January 22, 2019

Members Present: Petty, Thurow, Sloan

Absent: none

Others Present: Mayor Palm, E. Geick, E. Truman, T. Pinion, Chief Schauf, B. Zeman, M. Hardy, C. Haggard, P. Cannon (by phone)

Call to Order –Ald. Petty called the meeting to order at 6:15 p.m. noting compliance with the Open Meeting Law. Moved by Thurow, seconded by Sloan to approve the minutes of January 8, 2019. Ald. Petty asked that the agenda be amended to move the Community Development Block Grant item to “a”. Moved by Sloan, seconded by Thurow to adopt the agenda as amended and carried unanimously. Motion carried unanimously.

Action Items

- a) **Community Development Block Grant (CDBG) funding, the CLOSE program and future grant funding under the CDBG program** – P. Canon noted that the Close Program has been approved. This program will allow the City to pay the State for the CDBG loan receivables and then apply for a grant to get this money back. The Lake Street project will qualify for this grant. The money for the Lake Street project is currently sitting as cash and can be used to pay off the loans. Moved by Sloan, seconded by Thurow to recommend to Council for approval. Motion carried unanimously.
- b) **Accounts Payable** – Moved by Sloan seconded by Thurow to recommend to Council approval of the accounts payable for **\$980,693.28**. Motion carried unanimously.
- c) **Contract with MSA Professional Services to provide a Swimming Pool Needs Assessment Study, \$17,900** – M. Hardy explained that the budget includes \$20,000 for this Pool Assessment. In addition to the facilities study, it also includes a programming study. They will advise us on what the community is looking for as far as programs offered within the pool. Moved by Sloan, seconded by Thurow to recommend to Council for approval. Motion carried unanimously.
- d) **Agreement with Mueller Communications, LLC** – Adm. Geick explained that during the crisis with the School District and the picture, Adm. Geick along with the Mayor felt that the City needed outside help to deal with some of the issues and to assist in putting together some of the wording on press releases and other things. This is an unbudgeted expense with an estimated total cost of \$2,200. At this time, Adm. Geick is not expecting any additional expenses. Moved by Sloan, seconded by Thurow to recommend to Council for approval. Motion carried unanimously.

Informational Items

- a) City Attorney's report on insurance claims – None.

Adjournment – Moved by Sloan, seconded by Thurow and carried to adjourn at 6:33pm.

Administrative Committee**February 4, 2019**

Present: Alderpersons John Alt, John Ellington and Michael Zolper

Absent: -

Also Present: Mayor, Mike Palm; City Administrator, Edward Geick; Police Chief, Mark Schauf, Emily Truman, City Attorney, Finance Director, Cynthia Haggard and City Clerk, Brenda Zeman

The meeting was called to order by Chairman John Alt at 12:00PM CST., with roll call and noting compliance with the Open Meetings Law.

Moved by Ellington to approve the minutes of December 10, 2018, seconded by Alt and unanimously carried.

Motion by Ellington to approve agenda, seconded by Alt and unanimously carried.

Review and recommendation to City Council to change the City Code to allow for the consumption of wine in certain parks, in addition to already permitted fermented malt beverages.

Truman began by stating the Parks and Recreation Commission reviewed and overhauled City Chapter 19, Park's Rules and Regulations. There were discrepancies as to what was allowed in the Code compared to other sections of the Code regarding drinking alcohol in parks. The Park's Commission is recommending to Council to allow the consumption of fermented malt beverages along with wine in most, but not all, City parks.

To make things consistent, there are other changes in sections of the Code. Truman emphasized that it was very important if one change is being made in the Code, if there are other corresponding things elsewhere in the Code, they are done at the same time.

Chief Schauf commented that prior to the recommended change, a person could walk on the River Walk with an open beer. He emphasized this allowance wasn't the intent of the River Walk. The bigger change in the Code is allowing a person sitting in the park to have a beer and wine. Before, it was just a beer.

Ellington questioned whether or not a person could have a drink on one of the benches on the River Walk. Chief Schauf responded that with the passage of the change in the Code, the benches will be one of the prohibited areas.

Motion to recommend the Council to consider changing the City Code to allow for wine in certain parks, in addition to already permitted fermented malt beverages by Ellington, seconded by Zolper and unanimously carried.

Review and recommendation to the Common Council to approve the proposed amendments to §9.10(3)(b), Baraboo Municipal Code, pertaining to raising chickens in the City of Baraboo.

Truman explained that the changes to the code are clarifications to the length of time for the permits. As it stands, citizenry could make an argument that the permit is one year, or two years. Truman confirmed with Chief Schauf and Clerk Zeman that the two-year license is fine.

Another change to the Code is that all initial applications will be reviewed by Chief Schauf unless one of the neighbors notified as the result of the application process has a concern. In that case, the application will still come to the Commission to make a decision.

Language related to revocation has changed. If an offense is egregious it's a violation of Chapter 9.51, which is the animal cruelty State Statute. The permit can be automatically revoked pending an appeal. The appeal will be to the Administrative Committee.

Motion to recommend the Council to consider changing the City Code to approve the proposed amendment to §9.10(3)(b), Baraboo Municipal Code, pertaining to raising chickens in the City of Baraboo by Zolper, seconded by Ellington and unanimously carried.

Member comments

The next meeting will be March 4, 2018 at 12:00PM CST. Meeting location will be 101 South Boulevard. Moved by Ellington to adjourn, seconded by Zolper and unanimously carried. Meeting adjourned at 12:18PM CST.

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID), BOARD OF DIRECTOR'S MTG.**January 16, 2019****Members Present:** S. Fay, B. Stelling, M. Zolper, T. Wickus, D. Ender, N. Marklein Bacher, L. Stanek**Members Absent:** L. Stanek, D. Ender**Also Attending:** Ed Geick

Call to Order: Sarah Fay presided over the meeting, called it to order at 5:48PM and noted compliance with the Open Meeting Law.

Meeting Minutes:

Moved by Byberg, seconded by Wickus and unanimously carried to approve the minutes of November 21, 2018.

Agenda: Moved by Wickus, seconded by Byberg and unanimously carried to approve the agenda as published.

Reports of Officers and Committies

President – Ad-hoc parking committee is being formed

Appearance – City will take down wreaths soon

Business Development – Both Pop-Up shops have closed. Baraboo Children's Museum has moved to east side.

Promotions – Exploring opportunities for additional ad opportunities

Branding Update – New logo distributed and discussed next steps and agenda for next meeting.

Old Business:

Bench update – Prices received for painting; Plan to replace 1-2 per year.

Branding initiative update – Bobbie Boettcher presentation

New Business:

1.	Vouchers	City of Baraboo	896.26
		Downtown Baraboo, Inc.	250.00
		Wisconsin Public Radio	320.00
		Gatehouse Gardens	645.00
		Gatehouse Gardens	800.00
		Lamar	3,375.00
		Downtown Baraboo, Inc.	4,700.00
		Vinyl Graphics for You	240.24
TOTAL: \$			7,851.50

Moved by Wickus, seconded by Zolper, and unanimously carried to approve the vouchers.

2. Nanny Park – Individual with concern regarding fence is now working with the City.
3. Garbage – Inquiry as to why garbage pickup is not included in taxes.
4. Discussion of parking committee formed for county.

Correspondence & Announcements:

Next Meeting: Wednesday, February 20, 2019 at 5:45pm, Committee Room #205.

Adjournment: Moved by Stelling, seconded by Wickus to adjourn at approximately 6:18 p.m.

Copies of these meeting minutes are on file in the Clerk's office:

UW Campus Comm.	01-17-19	Airport	04-23-18, 04-30-18
Park & Recreation	1-21-19	CDA	1-15-19
Library	1-15-19	Public Arts	1-31-19
Library Bldg. & Grounds	2-7-19		
PFC	12-17-18, 1-7-19, 1-8-19, 1-21-19, 1-31-19, 2-8-19		

CLOSED SESSION

Moved by Petty, seconded by Wedekind to go into Closed Session as per §19.85(1)(g), Wis. Stat., to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (claim filed pursuant to §893.80, Wis. Stat., alleging improper use of force will

likely result in litigation).

Council Members Present: Wedekind, Plautz, Sloan, Petty, Ellington, Alt, Zolper, Thurow

Council Members Absent: Kolb

Others Present: Chief Schauf, Adm. Geick, Att. Truman, Mayor Palm, Clerk Zeman, C. Haggard, H. Kierzek

OPEN SESSION

Moved by Ellington, seconded by Alt and carried on a unanimous roll call vote to return to Open Session as per WI Stats 19.85(2) to address any business that may be the result of deliberations made in Closed Session. No action taken at this time.

Petitions and Correspondence Being Referred:

Letter from Phil Skwor concerning disclosure of entering into an agreement with the City of Baraboo to lease his bucket truck on an as-needed basis for tree trimming and removals.

ADJOURNMENT

Moved by Sloan, seconded by Petty, and carried on voice vote, that the meeting adjourn at 8:53pm.

Brenda Zeman, City Clerk

NOTICE OF PUBLIC HEARING
City of Baraboo, Wisconsin

NOTICE IS HEREBY GIVEN that the Common Council of the City of Baraboo, Wisconsin, will hold a public hearing in the Council Chambers in the Municipal Building located at 101 South Blvd, Baraboo, Wisconsin, on Tuesday, March 12, 2019, at 7:00 o'clock p.m. for the purpose of giving an opportunity to any interested persons to be heard to consider the following matter:

The City of Baraboo's proposed application for Community Development Block Grant CLOSE Public Facilities (CDBG CLOSE – PF) program funds. The public is invited to attend to learn about the CDBG program, to help identify additional community development needs, and to comment on the activities proposed to be included in the CDBG-CLOSE Public Facilities application.

Residents of the City of Baraboo are encouraged to attend, especially residents with low to moderate incomes.

The meeting room is handicapped accessible.

Persons needing additional accommodations or needing additional information should contact Brenda Zeman, City Clerk at 608-355-2700 or via e-mail: bzeman@cityofbaraboo.com

/s/ Brenda Zeman, City Clerk.

To be published on: February 25, 2019 in the legal section.

RESOLUTION NO. 2018 -

Dated: March 12, 2019

The City of Baraboo, Wisconsin

<i>Background:</i>
Fiscal Note: (Check one) [] Not Required [] Budgeted Expenditure [] Not Budgeted
<i>Comments</i>

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Accounts Payable, in the amount of \$ _____ as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Offered By: Consent

Approved by Mayor: _____

Motion:

Certified by City Clerk: _____

Second:

- Eliminating ordinances restricted certain conduct that are already regulated elsewhere in the Code (e.g., littering, vandalism, special events);
- Allowing properly restrained dogs on trails, walks and paths that go through City parks;
- Updating the closing hours of the parks;
- Prohibiting tobacco use in the Oschner Park Zoo;
- Allowing beer and wine to be consumed in most City parks;
- Codifying the restrictions for use of the Pat Liston Dog Park.

Fiscal Note: (check one) ☒ Not Required ☐ Budgeted Expenditure ☐ Not Budgeted **Comments:**

(1) "Electronic Delivery Device" means any product containing or delivering nicotine or any other substance intended for human consumption or inhalation that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. This includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

(2) ~~term "Park" is defined to mean~~ all lands and water hereto-fore and hereafter acquired by the City for park or recreational purposes, or placed under the jurisdiction of the Parks and Recreation Commission, and includes, without limitation, parks, parkways, greenways, recreational facilities and structures, and privately owned lands the use of which has been granted or leased to the City for park, recreational or like public purposes.

(3) "Properly restrained" shall mean a dog must be on a leash strap, chain, or cord that is no more than eight (8) feet in length and of appropriate strength to control the dog and used by a person of sufficient capability to restrain, control, and guide the dog.

(4) "Smoking" means burning or holding, or inhaling or exhaling smoke from, any of the following items: a lighted cigar, a lighted cigarette, a lighted pipe or any other lighted smoking device or apparatus.

(5) "Tobacco product" means any and all kinds and forms of tobacco prepared in a manner for human use including, but not limited to, smoking, vaping, chewing tobacco, snus and snuff.

~~(4)(6)~~ "Vaping" means the use of an electronic delivery device.

19.03 **UNLAWFUL CONDUCT PROHIBITED.** In addition to unlawful conduct prohibited elsewhere in this code, state statute and federal law, it shall be unlawful for any person to commit any of the following acts in or upon any public park within the City:

~~(1) VANDALISM. To soil, deface, injure, remove, damage, upset or destroy any building, fence, fountain, bench, table, receptacle, fireplace, tree, bush, flower or other object situated, used or kept upon park grounds.~~

(21) FIRES. To build any fire, except in grills or fireplaces provided for that purpose and in compliance with Chapter 5 of the Baraboo Municipal Code. No person shall leave any fire -unattended and all fires shall be extinguished before leaving the area.

~~(3) DEFACING PARK PROPERTY. To intentionally break, destroy or deface any park properties, features, facilities or structures, including natural objects, upon or within the parks.~~

~~(4) LITTER. To leave, throw or break any bottle, box, refuse or other object, except in clearly marked refuse receptacles provided for that purpose; or throw, discharge or otherwise place or cause to be placed in the water of any fountain, pond, lake, stream, river or other body of water or on the ice thereof in or adjacent to any park, any substance, matter, or thing, liquid or solid, which will or may result in the pollution of said waters. Where receptacles for rubbish are not provided, all waste shall be carried away from the park by the person responsible for it.~~

(52) GLASS CONTAINERS. Glass beverage containers of any kind are prohibited in all parks.

(36) MOVING PARK EQUIPMENT. To remove benches, seats, tables or other park equipment from any park or park facility unless prior approval of the Parks and Recreation Director is obtained.

(4) FIREWORKS. To set off fireworks of any kind, except when a public display permit has been issued by the Mayor pursuant to ~~see~~ §9.05 of this Code. No sparklers shall be permitted.

(58) GAMES, ATHLETICS AND SPORTS. To engage in any athletic contest, game or activity, except in areas specifically designated for such activity, whereby large areas of public grounds are usurped by the participants to the exclusion and at the peril of injury to others, unless prior approval of the Parks and Recreation Director or designee is obtained. ~~Specifically,~~ No one shall participate in playing ball, golf, tennis or archery in any City park, except upon ball fields, golf links, tennis courts or archery ranges, respectively, established by the Parks and Recreation Commission.

~~(9) PUBLIC ENTERTAINMENT AND MEETINGS. To take part in any entertainment or exhibition or hold any public meeting or engage in public speaking in any City park without written consent of the Parks and Recreation Commission.~~

(406) SALES. To vend, sell or offer for sale any food, beverage or other commodity or article to the public within any park without written authorization from the Parks and Recreation Commission.

- ~~(11) LOUD AND UNNECESSARY NOISE. To make any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public street adjacent to any City park or within any City park, or to operate a loudspeaker from any vehicle within any City park except upon written permit issued by the Commission upon such terms and conditions as will ensure that the public peace will not be disturbed.~~
- (472) RULES. To fail, refuse or neglect to obey the regularly posted rules and regulations of the Parks and Recreation Commission for the use or enjoyment of any facilities.
- (483) PETS. To take, have, keep or permit any dog, cat or other domesticated pet in any park in the City, with the following exceptions:
- a) ~~except a d~~Dogs, cat or other domesticated pet ~~is~~are permitted in Deppe Park, a/k/a Deppe Recreation Area, when so long as the dog such animal is properly restrained.
 - b) Dogs are permitted on trails, walks and paths through City parks so long as the dog is properly restrained, with the exception of in the arboretum, where dogs are strictly prohibited including on the trails, walks and paths.
 - c) Dogs are permitted in the Pat Liston Dog Park. (See also, §19.12, City Code)
 - d) ~~A seeing-eye~~Service animals, as provided for by the Americans with Disabilities Act of 1990 dog, when properly restrained, ~~shall be permitted in a City park. A~~
 - e) A dog, cat or domesticated pet may be kept within a motor vehicle legally parked in posted parking areas within City parks. (1843 11/28/95)
 - f) With prior written authorization from the Parks and Recreation Director or designee.
- (494) MOLESTING ANIMALS. To molest, disturb, chase or throw objects at any animal or bird within any park.
- (150) SIGNS. To paste, glue, tack or otherwise post any sign, placard or advertisement, or solicit business of any nature in any park without prior written authorization from the Parks and Recreation Director or designee.
- (161) DISORDERLY CONDUCT. To engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance, endangers other persons or property, or unreasonably interferes with the use of the park by others.
- (12) SMOKING AND VAPING. Smoking and vaping in City parks is prohibited, except as allowed pursuant to §101.123(4m), Wis. Stat.

19.04 CLOSING HOURS.

- (1) No person shall be or remain in any park between the hours of 10:00 p.m. and 6:00 a.m., with the exception of the Pat Liston Dog Park, which shall be open from sunrise to sunset, except with written permission granted by the Parks and Recreation Commission or the Parks and Recreation Director to use the park during said prohibited hours under terms and conditions to be determined by the Parks and Recreation Commission or the Parks and Recreation Director; provided this section shall not prohibit passing through a park area on a public roadway, walkway or the Riverwalk without stopping. All parks shall be closed to the general public during the following hours: (1836 10/24/95)

~~November 1 to April 30: Between 7:00 P.M. and 6:00 A.M.~~
~~May 1 to October 31: Between 9:00 P.M. and 6:00 A.M.~~

~~It shall be unlawful for any person or group to occupy or be present in any park during hours in which the park is not open to the public, except when permission, in writing, has been granted by the Parks and Recreation Commission or its Director for a group to conduct an activity or use specific facilities or buildings for an activity which extends beyond the regular closing hours.~~

- (2) Any park or part thereof may be declared closed to the public by the Parks and Recreation Commission or ~~its the~~ Parks and Recreation Director at any time and for any interval of time, either temporarily or at regular or stated intervals. It shall be unlawful for any person to enter or be present in any park or portion thereof which has been closed to the public.

19.05 CONDUCT IN ZOO REGULATED.

- (1) HARASSMENT OF ANIMALS. No person shall engage in any conduct under circumstances which tends to harass, annoy, disturb or endanger the health, welfare, safety and living environment of the Ochsner Park Zoo animals including, but not limited to, teasing, harassing, mocking, throwing objects, spitting, making loud and disturbing noises, feeding harmful foods or drink, touching or hitting with objects, or intentional molestation.
- (2) FEEDING OF ANIMALS. No person shall feed or give any substance to any Ochsner Park Zoo animal except for those animals where feeding is specifically allowed by a sign located on or near the animals' cage or enclosure.
- (3) BARRIERS. All persons visiting the Zoo shall adhere to and stay behind all barrier structures.
- (4) DESTRUCTION OF PLANTS PROHIBITED. It shall be unlawful for any person to disturb or destroy any of the vegetation within the zoo grounds, specifically for the purpose of feeding the animals.
- (5) FOOD AND BEVERAGES PROHIBITED. Visitors are prohibited from taking food or beverages into the zoo.
- (6) TOBACCO USE PROHIBITED. Smoking, vaping, and the use of tobacco products is prohibited within the zoo grounds.

19.06 MOTOR VEHICLES.

- (1) ~~Except for authorized City employees, No~~ person shall drive or park a motor vehicle in any park; except on such roads or parking lots specifically designated for the use of motor vehicles unless specifically permitted in writing by the Parks and Recreation Director.
- (2) No person shall operate a motor vehicle at a speed in excess of 15 miles per hour or in excess of any other posted speed limit, whichever is less.
- (3) No person shall operate a motor vehicle in a reckless or imprudent manner or in any manner which may tend to create a disturbance or endanger the safety of persons using the parks.

19.07 SNOWMOBILES PROHIBITED. It shall be unlawful for any person to operate a snowmobile in any park.

19.08 OFF-THE-ROAD VEHICLES PROHIBITED. ~~Except for authorized City employees, It~~ shall be unlawful for any person to operate any mini-bike, go-cart, motorcycle or other off-the-road vehicle in any park unless specifically permitted in writing by the Parks and Recreation Director.

19.09 CAMPING. No camping shall be permitted in any park, except upon the written permission of the Parks and Recreation Commission and in campground areas designated by the Commission.

19.10 USE OF PARK FACILITIES; FEES AND DEPOSIT.

- (1) RENTAL FACILITIES. The Schedule of Rental Facilities and respective fees as established by the Parks and Recreation Commission on file in the office of the Parks and Recreation Director is hereby adopted by reference. It shall be unlawful for any person to use such rental facilities for an event that requires a reservation without first paying the designated fee.
- (2) RESERVATION OF OTHER PARK FACILITIES. Other park facilities and park areas may be reserved on a first-come first-served basis upon making application to the Parks and Recreation Director.
- (3) DEPOSITS. The Parks and Recreation Director may require a cash deposit for any reserved park facilities. All or part of said deposit may be retained in the event the facility or area is not cleaned up or if facility keys are not returned.

19.11 CONSUMPTION OF ALCOHOLIC BEVERAGES. The possession and consumption of beer and wine is permitted in all parks when possessed and/or consumed in compliance with all other relevant local and state laws, with the following exceptions:

- ~~(1) (1) PIERCE PARK COMPLEX. Beer Or Wine In Pierce Park Complex Prohibited Except As Permitted By Lease.~~
- ~~(1)~~ No person shall sell, possess or consume any alcoholic beverages within the Pierce Park Complex except as authorized by and pursuant to the Park and Recreation Commission Lease of the Concession Stand at the ~~p~~Park.

(2) ~~During the times when the Tenant of the Pierce Park Concession Stand is not open for business, fermented malt beverages and wine may be brought in and consumed in the Pierce Park Complex if specifically permitted in writing by the Parks and Recreation Director, Director or Assistant Director of the City's Park and Recreation Department.~~ (1512 05/10/88)

(2) ~~ZOO CREW FEST. 4.12. ~~Conservation of the following parks is prohibited during annual zoo crew fest, except as permitted by lease.~~ (1643-05/12/92)~~ No person shall sell, possess or consume any alcoholic beverages within Lower Ochsner and Attridge Parks during those dates and times as established by ~~resolution of the Park and Recreation Commission~~ the Parks and Recreation Director for the annual Baraboo Zoo Crew Fest held at Ochsner and Attridge Parks, except as authorized and pursuant to any ~~Park and Recreation Commission~~ lease of said Parks. (1643 05/12/92)

(3) PARK PROHIBITIONS. Alcoholic beverages may not be consumed in the following parks at any time: Campbell Park, Hackett Hollow Conservancy, Liston Dog Park, Myron Park, Nanny Park and on the Riverwalk. An exception may be made for Nanny Park for beer and/or wine as part of a special event license (See §12.05, City Code).

19.12 PAT LISTON DOG PARK. Dogs are permitted to run unleashed in the designated and fenced area of the Pat Liston Dog Park, subject to the following conditions:

- (1) Children under the age of 16 must be with an adult.
- (2) Each handler is allowed a maximum of two dogs in the park at a time.
- (3) Only one person and their dog(s) are allowed in the release area at a time.
- (4) Dogs must be on a leash when entering and exiting the off leash area.
- (5) Handlers must remain inside the designated area at all times when their dog(s) are off leash.
- (6) Choke, prong, pinch and spike collars are not allowed on dogs in the off leash area.
- (7) Female dogs in heat are not permitted.
- (8) Strollers, bikes, skis, rollerblades and children's toys are prohibited.
- (9) Food, smoking, glass containers and barefeet are prohibited.
- (10) Aggressive dogs and dogs exhibiting aggressive behavior must be removed immediately.
- (11) Handlers must either use the provided waste bags or bring their own shovel, scoop or bag for removal of fecal matter and must remove and deposit the fecal matter in the provided waste containers.
- (12) Dogs must be licensed by the city of Baraboo or other governmental agency, or the handler must have in his or her possession written proof that the dog is currently vaccinated against rabies.
- (13) All dogs must have a current dog park permit. (See also, §12.08A).
- (14) Handlers must fill in any holes dug by their dog(s) immediately using the provided fill.

19.13 to 19.14 (Reserved)

19.15 **PENALTY.** Any person who violates any provision of this chapter may be subject to a penalty as provided in §25.04 of this code.

This Ordinance shall take effect upon passage and publication as provided by law.

Mayor's Approval: _____

Clerk's Certification: _____

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the ____ day of _____, 2019 and is recorded on page ____ of volume ____.

City Clerk: _____

NBR - 1

RESOLUTION NO. 2018 -

Dated: March 12, 2019

The City of Baraboo, Wisconsin

Background: This resolution seeks to award the 2019 Emerald Ash Borer treatment contract to TruGreen Commercial in the amount of \$10,339. This will be the sixth consecutive year that the City will be treating public ash trees in good or better condition against EAB. 500 city trees are treated on a 3-year cycle and since 2016, when EAB was found in the City, ash tree mortality has been limited thanks in part to a combination of treating good trees and removing poor ash trees which are more susceptible to the pest.

Bids received to treat 138 trees in 2019 were as follows:

TruGreen Commercial	\$10,339.00
Tim Andrews Horticulturalist, LLC	\$15,234.75
Maple Leaf Landscape, Inc.	\$24,975.00
Barnes, Inc.	no bid submitted
Tree Health Management	no bid submitted
Buckley Tree Service	no bid submitted

Fiscal Note: ☐ *Not Required* ☒ *Budgeted Expenditure* ☐ *Not Budgeted*

Comments: The 2019 budget included \$10,500 to treat ash trees against EAB

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Parks and Recreation Department be authorized to enter into a contract with TruGreen Commercial to treat ash trees against EAB for \$10,339.

Offered by:

Motion:

Second:

Attest:

Approved: _____

The City of Baraboo, Wisconsin

Background: This resolution seeks approval to use up to \$10,000 from the Park Segregated Account (Zoo donations received) to install a natural water filtration system at the new beaver exhibit at the Ochsner Park Zoo. Donations are collected at the zoo in voluntary donation boxes near the exit gates. These donations are typically used to make improvements to the zoo or extend needed care and enrichment for the animals. The current zoo donation fund has just over \$13,500 available for use and receives an average of about \$5,000 annually, making 2019 expected balance over \$18,000. The system would be similar to what was designed and installed at the bear exhibit 2 years ago, which replaced the “dump and fill” system which wasted water and staff time as the pool had to be emptied, cleaned and re-filled several times a week. The new system allows for it to be emptied and cleaned two or three times a year, which saves hundreds of dollars and many hours of staff time. As the beaver pond will be 3 times the size of the bear pond, future water and staff time savings of this system will be even greater.

Fiscal Note: ☐ Not Required ☐ Budgeted Expenditure ☒ Not Budgeted

Comments: This improvement was not budgeted for in the 2019 budget, however funds in the Parks Segregated budget are available using designated Zoo donations.

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Parks and Recreation Department be authorized to use up to \$10,000 of Parks Segregated Funds for the purpose of installing a natural water filtration system in the new beaver exhibit at the Ochsner Park Zoo.

Offered by:

Motion:

Second:

Attest:

Approved: _____

The City of Baraboo, Wisconsin

Background: This resolution seeks a budget amendment for the purchase of a new trailer for the Parks Department. \$5,000 was budgeted for the 2019 purchase, however the low bid came in at \$7,184. The trailer can be purchased using excess funds that remain from the 2019 skidsteer budget that was purchased by the Parks Department. The original skidsteer budget had \$33,000 available. Purchase was completed for \$27,967. \$2,572.50 was transferred to cover a budget shortage for the new truck, leaving an available balance of \$2,460.50. The \$2,184 remaining cost is requested to be used from this available skidloader fund to make up the difference.

Fiscal Note: ☐ **Not Required** ☒ **Budgeted Expenditure** ☐ **Not Budgeted**

Comments: The 2019 budget included \$5,000 for the trailer and \$33,000 for a skidloader. Skidloader was purchased for \$27,967 and \$2,572.50 was transferred for the pickup truck purchase leaving \$2,460.50 available for use on the trailer purchase.

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Parks and Recreation Department be authorized to purchase a new trailer using \$5,000 of budgeted expenditures and \$2,184 of funds remaining from the budgeted skid steer purchase

Offered by:

Motion:

Second:

Approved: _____

Attest: _____

The City of Baraboo, Wisconsin

Background: This resolution seeks approval to use \$3,710 from the Park Segregated Account (Steinhorst Park donations) to install a Timed Magnetic Lock system in the picnic shelter restrooms. Donations have been received by user groups of the park over the past 5 years with the purpose of making park improvements specific to the park. The current Steinhorst Park fund has \$4,600 available for use. The system would be the exact same lock system installed at restrooms along the Riverwalk (Mary Rountree Evans Park, Statz Park & Maxwell-Potter Conservancy) which allows for public restroom access evenings and weekends when staff isn't present.

Fiscal Note: ☐ **Not Required** ☐ **Budgeted Expenditure** ☒ **Not Budgeted**

Comments: This improvement was not budgeted for in the 2019 budget, however funds in the Parks Segregated budget are available using designated Steinhorst Park donations.

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Parks and Recreation Department be authorized to use \$3,710 of Parks Segregated Funds for the purpose of installing Timed Magnetic Locks at the Steinhorst Park restrooms.

Offered by:
Motion:
Second:

Approved: _____

Attest: _____

RESOLUTION NO. 2018 -

Dated: March 12, 2019

The City of Baraboo, Wisconsin

Background: The Baraboo Water Utility is planning for an electrical upgrade of the Oak Street Booster Station in 2020. The present equipment was installed in 1971 and is a 240-volt system. The upgrade would include a new 480-volt system with a new Motor Control Center with Variable Frequency Drives for the three booster pumps and provisions for an emergency generator.

The first step in the process is to contract with an engineering firm for the design and bidding of the project. We solicited RFPs from five engineering firms. We received four Proposals. Following is a summary of the Lump Sum Fees for design & bidding services:

- Donohue & Associates \$20,500
- CBS² \$27,333
- Cedar Corp \$29,450
- MSA \$30,000.

After reviewing the Proposals, we felt Donohue & Associates would best meet our design needs. We are recommending that the contract be a Lump Sum contract.

The Public Safety Committee reviewed the proposal at the March 4th meeting and unanimously recommended approval of the Donohue & Associates contract.

Fiscal Note: (✓ one) [] Not Required [X] Budgeted Expenditure [] Not Budgeted
Comments: Within budget projections.

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

To approve the contract with Donohue & Associates, Inc. for the Design and Bidding services of the Oak Street Booster Station Electrical Upgrade for a lump sum amount of \$20,500.

Offered by: Public Safety Committee **Approved:** _____
Motion: _____
Second: _____ **Attest:** _____

RESOLUTION NO. 2018 -

Dated: March 12, 2019

The City of Baraboo, Wisconsin

Background: There is some apparent confusion over the true name of the roadway between South Blvd and Walnut Street (formerly STH 123); it appears as both Parkway and South Parkway in the City's records and the DOT's highway plans. All of the properties with an address on this roadway have South Parkway addresses. To clarify the matter, it would be prudent to officially designate the street name for this roadway as one or the other. To minimize inconvenience for the residents on that roadway, staff is recommending it be officially named South Parkway.

The Plan Commission reviewed this matter at the February 19th meeting and forwarded to the Common Council with a unanimous recommendation to officially name this roadway South Parkway.

Fiscal Note: (✓ one) [] Not Required [X] Budgeted Expenditure [] Not Budgeted

Comments: Within budget projections.

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the portion of the roadway between South Blvd and Walnut Street, formerly STH 123) be renamed South Parkway.

Offered by: Plan Commission
Motion:
Second:

Approved: _____

Attest: _____

RESOLUTION NO. 2018 -

Dated: March 12, 2019

The City of Baraboo, Wisconsin

Background: Bids were received on February 19, 2019 for asphalt paving, asphalt pavement materials, asphalt patching, concrete curb and sidewalk repair, crushed aggregate base course, and concrete and asphalt crushing, and associated with the Public Works Department projects for 2019. The following is a tabulation of the bids:

Proposal #1 – Asphaltic Paving, approximately 7,000 sq yds

D.L. Gasser Construction	\$ 86,320
Scott Construction	\$110,325

Proposal #2 – Asphalt Pavement Material, approximately 800 tons

D.L. Gasser Construction	\$40,400
--------------------------	----------

Proposal #3 – Asphalt Pavement Patching, approximately 1,000 sq yds

ABBS Paving	\$33,070
D.L. Gasser Construction	\$41,489.40
Scott Construction	\$50,050

Proposal #4 – Miscellaneous C&G and Sidewalk Replacement, approximately 8,000 sq ft

Concrete Service Company	\$ 73,100
Rennhack Construction	\$112,150

Proposal #5 – Crushed Aggregate Base Course, approximately 1,000 tons

Yahara Materials	\$5,900
Kraemer Company	\$6,050
D.L. Gasser Construction	\$7,200

Proposal #6 – Asphalt and Concrete Pavement Crushing, approximately 5,000 tons

Gerke Excavating	\$35,980
Allen Steele Co, Inc.	\$38,850
Kraemer Company	\$40,950
A-1 Excavating	\$42,000
Yahara Materials	\$45,500

Proposal #7 – Grading & Paving (Mill Race Pedestrian Path), approximately 140 tons

D.L. Gasser Construction	\$16,576.80
Scott Construction	\$18,547.50
ABBS Paving	\$21,800.00

These bids were reviewed by the Public Safety Committee at their March 4th meeting and they unanimously recommended their award to the respective low bidders.

Fiscal Note: (check one) [] Not Required [x] Budgeted Expenditure [] Not Budgeted
Comments

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the low bids of:

D.L. Gasser	\$86,320	– Proposal #1 – Asphaltic Paving
D.L. Gasser	\$40,400	– Proposal #2 – Asphalt Pavement Materials
ABBS Paving	\$33,070	– Proposal #3 – Asphaltic Patching
Concrete Service Company	\$73,100	– Proposal #4 – Curb and gutter & sidewalk repair
Yahara Materials	\$ 5,900	– Proposal #5 – Crushed Aggregate Base Course
Gerke Excavating	\$35,980	– Proposal #6 – Concrete and Asphalt Crushing
D.L. Gasser	\$16,576.80	– Proposal #7 – Grading/Paving (Mill Race Path)

Are hereby accepted and all other bids are rejected.

Offered by: Public Safety Comm. **Approved by Mayor:** _____

Motion:

Second: **Certified by City Clerk:** _____

S:\Council\Resolutions\3-12-19 Annual Public Works Projects 2019.doc

RESOLUTION NO. 2018 -

Dated: March 12, 2019

The City of Baraboo, Wisconsin

Background: The City contracts annually for the mowing of noxious weeds and rank growth on offending individual properties throughout the City of Baraboo. Proposals were received from only 1 company again this year with the results as follows:

	Description	Sunrise Property Care (Price / Sq Ft)
Improved Lot	Mowing 12" Weeds or Rank Growth	\$0.01
	Mowing 12" Weeds or Rank Growth w/collection	\$0.02
Vacant Property	Mowing 12" Weeds or Rank Growth (< 0.5 acres)	\$0.01
	Mowing 12" Weeds or Rank Growth w/collection (< 0.5 acres)	\$0.05
	Mowing 12" Weeds or Rank Growth (> 0.5 acres)	\$0.008
	Mowing 12" Weeds or Rank Growth w/collection (> 0.5 acres)	\$0.05
	Chemical Application	\$0.04
	Minimum Charge	\$40.00

The bidders also provide an hourly rate to spray chemical herbicide for weed control.

The Public Safety Committee reviewed these proposals at their March 4th meeting and recommended award of this Proposal to the low bidder.

Fiscal Note: (Check one) [] Not Required [x] Budgeted Expenditure [] Not Budgeted
Comments

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the Proposal for mowing of weeds and rank growth from Sunrise Property Care in the amount of \$0.01 per square foot for mowing an improved lot, \$0.05 per square foot for vacant property less than ½-acre, \$0.008 per square foot for vacant property greater than ½-acre, and \$0.04 per square foot for weed control is hereby accepted.

Offered by: Public Safety Comm. **Approved by Mayor:** _____

Motion:

Second:

Certified by City Clerk: _____

RESOLUTION NO. 2018 -

Dated: March 12, 2019

The City of Baraboo, Wisconsin

Background: The City contracts annually for the mowing of the median strips on STH 136 (formerly US Hwy 12). Proposals were received from 2 firms with the results as follows:

Top 2 Bottom	\$55.00 per mowing
Sunrise Property Care	\$70.00 per mowing

The bidders also provided an hourly rate for weed pulling and trimming.

The Public Safety Committee reviewed these proposals at their March 4th meeting and recommended award of this Proposal to the low bidder.

Fiscal Note: (Check one) ☐ Not Required ☒ Budgeted Expenditure ☐ Not Budgeted
Comments

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the proposal for mowing of the STH 136 median strips from Top 2 Bottom in the amount of \$55.00 per mowing and \$25 per hour for additional weed pulling and trimming is hereby accepted and all other bids are rejected.

Offered by: Public Safety Comm. **Approved by Mayor:** _____

Motion:

Second:

Certified by City Clerk: _____

The City of Baraboo, Wisconsin

Background: This resolution seeks the approval of a Citizen Participation Plan, which is a requisite condition for a CDBG CLOSE Public Facility grant application. Both the Finance Committee and City Council reviewed the CDBG CLOSE program at their respective meetings on January 22, 2019 and the City Council authorized the submittal of a grant application to the CDBG CLOSE Public Facilities program.

Fiscal Note: ☒ **Not Required** ☐ **Budgeted Expenditure** ☐ **Not Budgeted**
Comments:

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

WHEREAS, the City of Baraboo has applied for a Community Development Block Grant (CDBG); and

WHEREAS, the State of Wisconsin Department of Administration (DOA) and the U.S. Department of Housing and Urban Development (HUD) require recipients of Community Development Block Grant (CDBG) monies to have in place a Citizen Participation Plan; and

WHEREAS, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low to moderate income), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearings, provide for complaint procedures, and accommodate non-English speaking residents; and

WHEREAS, the City of Baraboo has prepared and publicly reviewed a Citizen Participation Plan,

NOW, THEREFORE, BE IT RESOLVED, that the City of Baraboo officially adopts the City Participation Plan.

Offered by:
Motion:
Second:

Approved: _____

Attest: _____

RESOLUTION NO. 2018 -

Dated: March 12, 2019

The City of Baraboo, Wisconsin

Background: This resolution satisfies a requisite condition for a CDBG CLOSE Public Facility grant application. Both the Finance Committee and City Council reviewed the CDBG CLOSE program at their respective meetings on January 22, 2019 and the City Council authorized the submittal of a grant application to the CDBG CLOSE Public Facilities program.

The Public Safety Committee review this matter at their March 4, 2019 meeting and forwarded it to the Council with a favorable recommendation

Fiscal Note: ☒ **Not Required** ☐ **Budgeted Expenditure** ☐ **Not Budgeted**
Comments:

A resolution to adopt a Policy to Prohibit the Use of Excessive Force and the Barring of Entrances/Exits for Non-Violent Civil Rights Demonstrations.

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

WHEREAS Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 U.S.C. 69 §5304) prohibits the State from expending or obligating any Community Development Block Grant funds to any unit of general local government that does not have or adopt a policy prohibiting the use of excessive force by local law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and a policy of enforcing State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction;

AND WHEREAS it is in the interest of the City of Baraboo to pursue Community Development Block Grant Funds and to adopt policy that complies with Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 USC 69 §5304);

NOW THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Baraboo;

It is policy of the City of Baraboo to prohibit the use of excessive force by law enforcement agencies within the City of Baraboo's jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

It is policy of the City of Baraboo to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within the City of Baraboo's jurisdiction.

The officials and employees of the City of Baraboo shall assist in the orderly prevention of all excessive force within the City of Baraboo by implementing the authority and enforcement procedures set forth in Title I of the Housing and Community Development Act of 1974.

The City Council directs the Police Chief to implement this Resolution by amending applicable departmental policies and procedures.

Offered by:
Motion:
Second:

Approved: _____

Attest: _____

Minutes of the Public Safety Committee Meeting – February 4, 2019

Members Present: Phil Wedekind, Tom Kolb, and Mike Plautz. **Others Present:** Tom Pinion, Mayor Palm, Chief M. Schauf, Fire Chief K. Stieve, Wade Peterson, Tony Gilman, Ben Bromley, and Kris Jackson.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at Baraboo City Service Center. Compliance with the Open Meeting Law was noted. It was moved by Plautz, seconded by Kolb to approve the amended agenda as posted. Motion carried unanimously. It was moved by Kolb, seconded by Plautz to approve the minutes of the December 10, 2018 meeting. Motion carried unanimously.

New Business

- a. Consideration of Proposals to perform a warrant analysis for proposed 4-way stop signs at the intersection of 5th and Oak – Engineer Pinion said that he solicited proposals from Traffic Engineering Firms, and received two responses. MSA Professional Services would do a study for \$1870 and KL Engineering \$4250. He said that this cost would be only to see if this meets the warrants, which looks doubtful to him. It was moved by Kolb, seconded by Plautz to award the Warrant Analysis Study to MSA Professional Services, for \$1870. Motion carried unanimously.
- b. Consider proposed revision to the Financial Hardship repayment provision for Special Assessments – Pinion said that since his time with the City there has been only one property owner who claimed financial hardship for repayment of a special assessment. He said that this past year there were four. He said that the current policy reads that if a property owner can demonstrate financial hardship, they pay \$100/year until the balance is paid. He said that this year there is one that would take 33 years and one would take 57 years to pay off. Pinion said that due to the life expectancy is around 30 years, it would be bad financial practice to depreciate and pay for something over twice its' life span as opposed to once. Therefore, both the Finance Director and Treasurer has recommended that a change to this to make it commensurate to the 30-year life span. He is then presented the proposed revision to the Financial Hardship Provision of the payment options to the Committee. It was moved by Plautz, seconded by Wedekind to approve the proposed revision to the Financial Hardship repayment provisions for Special Assessments as presented. Motion carried unanimously
- c. Consideration of Proposals for Asbestos Inspection and Sampling for the City-owned buildings at 314 Depot Street – Pinion said that this is the building that the City recently acquired and with the building that is going to be built, these buildings are too dilapidated to be saved; therefore, he took the liberty to getting proposals for asbestos inspections. It was moved by Kolb, seconded by Plautz to accept the proposal of MSA Professional Services for \$1,125. Motion carried unanimously.
- d. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for December 2018 – It was moved by Kolb, seconded by Plautz to approve the Adjustments/Credits as presented. Motion carried unanimously.

Reports

- a. **Utility Superintendent's Report** – Peterson said that Bio-solids is up and running, but still a few punch list items to fix. He said that the total cost appears to be approximately \$200,000 under budget. Peterson said that there have been three water main breaks, one frozen service, and valve failure. He said that the new Jet Vac, mini excavator, and sewer wheel loader replacement are all here and can be seen on the tour. He said that Request For Proposal are now out for engineering services for the electrical upgrade at the Oak Street booster station and the Sanitary Sewer Inverted Siphon-Water Main replacement across the Baraboo River at the old water pump station.
- b. **Street Superintendent's Report** – Gilman said that Cleary Building is scheduled to deliver the materials for the building on this week. He said that the plow truck is here, and was just delivered today. The 2018 Autocar refuse truck is expected to arrive the week of 2/11/19. He said that the Crafcro tar kettle will be delivered next week. He said that he is exploring options of monitoring the brush site top reduce illegal dumping. He then presented information regarding the "warning" stickers to try to educate residents on proper cart placement and allowable materials.
- c. **Police Chief's Report** – Parking issues were discussed. He said that they department to a lot of vehicle being stuck in the snow on Monday and then vehicles not starting Tuesday through Thursday. Schauf gave kudos to Officer Car Ustupski for expertise as a certified Drug Recognition Expert.
- d. **Fire Chief's Report** – Stieve said that the Department has had two resignations, one due to time commitment, and the other moved out of the area. He said that the Assistance Chief/Training interviews started last week, with a couple of

postponements due to weather. He said that with the New Year, the department is continuing to work on items that were in the Operations Study. He thanks the Public Works Department for the help to the department.

The Committee then were given a tour to view the new JetVac, Mini Excavator, Loader, Plow Truck, and Pusher.

ADJOURNMENT – It was moved by Kolb, seconded by Wedekind to adjourn at 1:53 p.m. Motion carried.

Respectfully submitted,

Phil Wedekind, Chairman

Minutes of Plan Commission Meeting January 15, 2019

Call to Order – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Phil Wedekind, Dennis Thurow, Roy Franzen, Pat Liston, Jim O'Neill, Tom Kolb, and Kate Fitzwilliams.

Also in attendance were Administrator Geick, Tom Pinion, Attorney Truman, Steve & Sara Messner, Chasity Gabrielson, Tyler Edwards.

Call to Order

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Kolb, seconded by Franzen to approve the agenda as amended and posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by Liston, seconded by O'Neill to approve the minutes of the December 18, 2018 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – Sara Messner introduced herself and husband, Steve to the Commission. She said that she was the one wanting to open the pet grooming business in the City. She said that Messy Mutts LLC was the business that they ran out of their home in Darlington.

New Business

- a. Review and approve a two-lot Certified Survey Map for land in the SW¼ of the SW¼ of Section 3, T11N, R6E, City of Baraboo, at 1040 State Rd 136 for Menard, Inc. – Tyler Edwards, real estate representative for Menard's introduced himself to the Commission. Engineer Pinion said that Menard's is looking to expand the yard entrance to have another lane to minimize the time getting into the yard area. He said that because the building will straddle the existing property line, to meet State Building Code, they need to move the property line. It was moved by Liston, seconded by Franzen to approve the CSM as presented. On roll call for the motion, Ayes – Thurow, Franzen, Liston, O'Neill, Kolb, Fitzwilliams, and Wedekind. Nay – 0, motion carried 7-0.
- b. Consideration of Ad-Hoc Zoning Committee's recommendation for regulating Short-Term Rentals in the City of Baraboo – Pinion said that this came to the Commission from the Ad-Hoc Zoning Committee. He gave the background to the Commission, and stated that Attorney Truman worked diligently in drafting an ordinance to revise the definition of a short-term rental, and then created Section 17.13(a). He said it took six pages to identify everything that is necessary in order to adequately regulate this type of use. It was moved by Liston, seconded by Franzen, to recommend forwarding the draft ordinance to City Council with a favorable recommendation. On roll call vote for the motion, Ayes – Franzen, Liston, O'Neill, Kolb, Fitzwilliams, Wedekind, and Thurow. Nay – 0, the motion carried 7-0.
- c. Consideration of an amendment to the Zoning Code to add Service and Pet Grooming to allowable permitted uses in the B-2 Neighborhood Business, B-3 Highway-Oriented Business and I-4 Planned Industrial/Business districts – Pinion gave the background saying that in researching the zoning code, "Pet Grooming" is not mentioned as either a permitted use or conditional use in any of the zoning districts. He noted that oddly enough it is grouped together with veterinary clinics, animal hospitals, and boarding and collectively this group of uses is prohibited as both a home occupation and professional home office. Pinion said that it is peculiar that this use is prohibited in certain circumstances but not allowed anywhere in the Code. He explained the same situation exists for definition 92(a) "Retail Sales and Services". Although "Pet Grooming" could possibly fall under Retail Sales and Services since it could be considered a non-personal or non-professional service, amending the Zoning Code to provide this defined use as a permitted and/or conditional use in certain zoning districts would seem more appropriate. He explained that if the Zoning Code is going to be amended to allow the defined terms of "Retail Sales and Services" and "Pet Grooming", the questions is where the Commission wants them. He said that the suggestion according to the agenda item is B-2 Neighborhood Business, B-3 Highway-Oriented Business, and I-4 Planned Industrial/Business. However, that does not preclude the Commission from recommending them in other districts too. Fitzwilliams questioned how many pet grooming places existing within the City at this time. It was stated that there is one in a B-3 zoning district that has been there for a while; therefore, Pinion does not know if the Commission wants to contend that it is grandfathered. The Commission asked where Messner was proposing to locate. It was stated in Westwood Park on 8th Avenue in a unit that is currently a hair salon, which is located in a B-2 zoning district. Franzen stated that he does not see why this "small business park" would not allow Pet Grooming. Pinion said that it just is not a listed use in the Zoning Code; however, the Commission could change that. Liston said that outside kennels should not be allowed. Truman said that this would be a totally different can of worms. Liston said that it is, but it is not because sometimes a dog could be kenneled while another dog is being groomed. Messner said that when she had her business in Darlington, it was by appointment only, and there were no outside kennels. Pinion said that he feels that pet grooming could be added and defined to exclude boarding and/or kenneling. O'Neill felt that it should state small animals, dogs and

cats. Truman felt that this would be a good idea, that the definition should be limited to dogs and cats, or other domesticated animals; whatever the Commission decides. It was moved by Franzen, seconded by Liston, to add Pet Grooming business as a permitted use in the B1, B2, B-3, and I-4 zoning districts, only allowing dogs and cats, and no outside kennels or boarding. On roll call vote for the motion, Ayes – Liston, O'Neill,, Kolb, Fitzwilliams, Wedekind, Thurow, and Franzen. Nay – 0, the motion carried 7-0. Liston wanted the sale of live animals to be not be allowed in the Retail Sales definition. Kolb asked if the Commission could hold off on the Retail Sales definition and have staff bring back a definition next month.

Adjournment - It was moved by Liston, seconded by Fitzwilliams to adjourn at 5:32 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee

Minutes

Baraboo District Ambulance Commission Finance Ad Hoc Committee December 5, 2018

The December 5, 2018 meeting of the Ad Hoc Committee was called to order by Meier at 6:53 pm. Meier confirmed that the meeting had been posted in compliance with the Open Meeting Law.

Committee members present: Meier, Petty, and Puttkamer. Also present: Dahlke, Otto, Sloan, Sechler, and Snow

Approval of Agenda

- The agenda was adopted with a motion made by Petty, seconded by Puttkamer. Voice vote, all ayes. Motion carried.

Approval of Previous Minutes

- A motion to approve the September 26, 2018 minutes was made by Petty, seconded by Puttkamer. Voice vote, all ayes. Motion carried.

Public Invited to Speak

- No public comments.

Appearances / Announcements / Correspondence / Reports

- None

New Business

1. Approve check details and online payments for October 14 – November 24, 2018 in the amount of \$120,586.32. A motion to approve as presented was made by Petty, seconded by Puttkamer. Voice vote, all ayes. Motion carried.
2. Approve write-offs in the amount of: \$206,446.52. A motion to approve as presented was made by Puttkamer, seconded by Petty. Voice vote, all ayes. Motion carried.

Additional Comments & Future Agenda Items

- None

Adjournment

There being no further business to come before the Committee, a motion to adjourn was made by Puttkamer, seconded by Petty. Voice vote, motion carried at 6:57 pm.

Respectfully submitted,

Dana Sechler, Chief / EMS Director
Baraboo District Ambulance Service

Minutes

Baraboo District Ambulance Commission

December 5, 2018

The December 5, 2018 meeting of the Baraboo District Ambulance Service Commission was called to order by Dahlke at 7:00 pm.

Commissioners present: Dave Dahlke, Dr. Kronrnfeld, Erik Larson, Robin Meier, Darlene Otto, Joel Petty, Randy Puttkamer, Scott Sloan, Tim Stieve, Terry Turnquist, and Phil Wedekind

Also present were: Attorney Maffei, Chief Sechler, Deputy Chief Rago, Captain Johnson, Captain Klock, Captain Koepp, Snow, Vande Hei, Fiebig, DeKeyser, Mezyk, and Wolter

Dahlke noted that the meeting had been posted in compliance with the Open Meeting Law.

Adoption of Agenda

- The agenda was adopted by a motion made by Larson, seconded by Sloan. Voice vote, all ayes. Motion carried.

Approval of Previous Minutes

- A motion to approve the October 24, 2018 minutes was made by Wedekind, seconded by Sloan. Voice vote, all ayes. Motion carried.

Public Invited to Speak

1. None

Appearances/Announcements/Correspondence

2. None

Reports

1. Legal Counsel Report – No report.
2. President's Report – No report.
3. Treasurer's Report – No report.
4. Chief's Report – Sechler reviewed the written report that was submitted in the Commission packet.

Consent Agenda

1. Approve check details and online payments for October 14 – November 24, 2018 in the amount of: \$120,586.32
2. Approve write-offs of patient accounts in the amount of \$206,446.52.
A motion to approve as presented was made by Petty, seconded by Wedekind. Voice vote, all ayes. Motion carried.

Old Business

1. Sechler and several staff presented the background for the discussion related to increasing wages and staff for the 2019 Budget year. A 3% across the board raise was already approved for all staff in the 2019 Budget. Due to the current nationwide shortages of personnel in Public Safety (including EMS, Fire, and Law Enforcement) many agencies have raised their base wages in order to recruit and retain employees. While the initial 3% raises that were proposed for the 2019 Budget were sufficient at that time, the competitive wage increases at other services has

Minutes

Baraboo District Ambulance Commission

December 5, 2018

caused some staff at Baraboo EMS to seek part-time and full-time employment elsewhere, while also making it more difficult to attract new employees. The synopsis of the proposal is that a total increase of \$1.45 per hour be given to hourly employees. That \$1.45 amount would be inclusive of the 3% that has already been budgeted, and is not to be considered an additional amount on top of the budgeted 3% raise. The Management team feels that the increase in base wages would help to retain current staffing, as well as be an incentive to hire additional Paramedics to fill a scheduled power-shift each day. The power-shift would be staffed during the busiest times of the day, so that the Service could pick up additional transfer opportunities compared to what was previously budgeted. Numbers were presented that showed that if one additional inter-facility transfer could be taken every other day (for a total of 190 additional transfers per year) that enough income would be generated to cover the expenses of the additional wage increase. If there were not enough additional transfers, various line item expenses could be adjusted to balance the budget. A number of questions were asked by the Commission, and answered by staff. At the end of the discussion, the Commission directed staff to create the following reports, to bring back for further discussion at the next meeting: (1) comparison with surrounding EMS services of base wages for the Paramedic level; (2) comparison of the proposed increase for each EMS level, in a percentage format; and (3) a chart of the current benefits package for employees.

New Business

1. Sechler presented the agreement for the Learning Partnership with Columbia Southern University (CSU). This agreement allows an employee to receive a discount on their college classes, related to obtaining degree. After discussion, a motion was made by Larson, seconded by Turnquist to approve the agreement. Voice vote, all ayes. Motion carried.
2. Sechler presented the proposed Compliance Policies and Procedures that had been developed as part of the Compliance review earlier this year. After discussion, it was directed to make the following changes, and bring back a final copy for consideration: (1) Correct paragraph numbering on page 22, (2) add in "legal counsel" on the same page, and (3) Reword Policy #11 to refer to the current Employee Complaint Policy.
3. A motion was made for the Baraboo District Ambulance Commission to go into Closed Session pursuant to §19.85(1)(a) Wis. Stats. to deliberate concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body, by Sloan, seconded by Turnquist. Roll call vote: All ayes. (8:15) After Closed Session discussions, a motion was made by Wedekind, seconded by Sloan for the Baraboo District Ambulance Commission to return to Open Session pursuant to §19.85(2) Wis. Stats., to take action as a result of closed session discussions. Roll call vote: All ayes. (8:38) A motion was made by Petty, seconded by Otto that after consideration, the Commission finds that the Hearing Officer did not reach an arbitrary or unreasonable result, and therefore, the Commission affirms the Hearing Officer's Decision dated October 25, 2018. Voice vote, all ayes. Motion carried.

Minutes

Baraboo District Ambulance Commission

December 5, 2018

Commissioner Comments & Future Agenda Items

- Please mark your calendars for the next Commission meetings, which will be the following:
 - January 23, 2019
 - February 27, 2019

Adjournment

- Motion to adjourn by Larson, seconded by Turnquist at 8:30 pm. Voice vote, all ayes. Motion carried.

Respectfully Submitted,

Dana Sechler, Chief / EMS Director
Baraboo District Ambulance Service